



# **Town of Sardinia**

## **Comprehensive Plan Update**

**November 2021**



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**TOWN OF SARDINIA  
COMPREHENSIVE PLAN UPDATE**

***ACKNOWLEDGEMENTS***

The Town of Sardinia Comprehensive Plan Update was made possible through the efforts of the following people:

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**THE PUBLIC OFFICIALS OF THE TOWN OF SARDINIA**

**THE PLAN WAS ALSO MADE POSSIBLE THROUGH A GRANT RECEIVED FROM ERIE COUNTY.**

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## **1. INTRODUCTION**

This document is an interim update to the Town of Sardinia's 2003 Comprehensive Plan. The Town of Sardinia has identified specific goals and objectives that are unique to its locale and this Comprehensive Plan update will help the Town accomplish them. This interim update has a primary focus on addressing large-scale renewables proposed in the Town, agricultural impacts, and to a lesser degree, changes in regional planning initiatives. A complete update will be conducted in the future to fully address additional planning initiatives and opportunities for the community to achieve its Vision. That full update will also allow the Town the opportunity to receive input from a greater portion of the community.

A comprehensive plan carefully assesses strengths and opportunities inherent in a community to develop a rational basis for proposed policies, codes, and other activities. In New York State, the right to zone land is premised on having a comprehensive plan for the community. Land development is strongly influenced by zoning, public investment, and availability of infrastructure and transportation access. A comprehensive plan typically addresses these issues, targeting those most important to the community.

The Town of Sardinia has an existing Comprehensive Plan that was adopted in 2003, which has helped the Town make decisions for almost two decades. Over that time much has taken place, and the Plan needs to be refreshed. The Town itself has not only seen change, but the County, Region, State and Country have seen tremendous change. This Plan update will help in understanding these changes, re-evaluate the Town's Vision, and develop recommendations and actions to address those issues of concern to the Town. The goal of this update is to address those issues where these changes have had the greatest impact. It is intended as a supplement and will augment the existing Comprehensive Plan.

To develop a meaningful and useful comprehensive plan, many sources of background information must be provided. This plan's strong basis in data helps local legislative and administrative boards determine how and where growth is taking place, and where it may take place, the types of development that could take place and how it may happen. These background elements comprise an updated inventory of planning data and mapping of various features, followed by careful analysis of trends and issues. Based upon the findings of these basic elements, and the use of the established Town's goals and objectives, the recommendations of the 2003 Plan were re-evaluated and revised to guide future development. Additional specific recommendations were then made, which were intended to help the Town make progress toward achieving those goals and to help with the advent of large-scale projects that were not previously anticipated.

This Interim plan will consider, and be designed to be consistent with, other regional planning documents including, but not limited to: One Region Forward: Regional Framework for Growth, A New Way to Plan for Buffalo-Niagara (2014); Western New York Regional Sustainability Plan (2012), REDC: A Strategy for Prosperity in Western New York (2011), and Erie-Niagara Framework

for Regional Growth (2006). In addition, as noted above, this plan builds upon and supplements the previous Comprehensive Plan completed in 2003.

#### Legal Authority

In accordance with Section 272-a of Town Law, Towns have the power to undertake comprehensive planning and to adopt a plan to help promote the health, safety, and general welfare of the Town and to give due consideration to the needs of the people of the region of which the Town is a part.

By law (Section 272-a), the adoption of a comprehensive plan has the following effect:

- a. All Town land use regulations must be in accordance with a comprehensive plan adopted pursuant to Section 272-a.11. (a); and
- b. All plans for capital projects of another government agency on land included in the Town comprehensive plan, adopted pursuant to Section 272-a, shall take such plan into consideration.

#### How will the Plan be used?

Once adopted, the Town will begin to implement the plan by amending its land use regulations to conform to the comprehensive plan and consider the plan in its land use decisions (site plans, subdivisions, and re-zonings). Yearly, the community would utilize the plan in determining its capital project plan and in helping to determine what projects and other implementation actions should be undertaken in the following year. The Plan also provides direction to County and State agencies, who must consider the Town's adopted comprehensive plan in planning projects or undertaking actions that could affect the community.

This Comprehensive Plan update is the community's message to its residents, to developers, to industry, and to other levels of government, that the Town of Sardinia has considered its environs and has proposed a program of development based upon sound planning principles and direction, with public input and support. It is important for the Town to have such a statement of policy, with supporting documentation that led to that policy. This ensures that the Town's interests are clearly stated and provides guidance for the Town in evaluating proposals that come before it. Adoption of a Comprehensive Plan also lends weight to the Town's position when conflicts arise, because this position is based on sound planning and has public consensus behind its findings.

Policies, plans and capital improvement programs instituted by higher levels of government -- at the national, state, regional and county levels-- often play a significant role in shaping the future of local communities. The Town's Comprehensive Plan clearly communicates the Town's consensus in regard to its preferred future. This Plan has been prepared with an understanding of regional and State trends and policies. Where appropriate, it is consistent with these higher



government programs; where there are variations, it explains the rational basis for any differences.

The recommendations and policies in this comprehensive plan grew out of existing land use patterns, its strategic location in the greater Buffalo metropolitan area, future vision, and practical considerations of access to infrastructure and transportation, with an eye to preservation of important natural features. Business and industrial firms and, to some extent, individual homeowners are all engaged in looking into the future from time to time in order to provide some direction to their day-to-day activities. Most businesses, for instance, project their anticipated needs and goals for at least a five-year period.

A community likewise must have some direction to its day-to-day activities. In fact, it is even more important for a community to think ahead, due to its size and complexity; the environmental importance of its assets; and the enduring and long-reaching nature of its decisions, particularly regarding land use. A comprehensive plan can provide insight and direction for the future of the community, to protect its resources; plan for prosperity and provide improved local quality of life.

#### *What are the Benefits of a Comprehensive Plan?*

A comprehensive plan provides several benefits:

- Dealing with minor problems so that they do not become major problems in the future.
- Limiting the impact of changes which can be foreseen, and which will occur in the future.
- Shaping new development to the community's needs and preferences.
- Guiding both public and private action to save money, time, and effort.
- Improving coordination between municipalities.
- Providing a unifying focal point for the efforts of all community interests.

#### *Why Prepare a Plan Update Now?*

The Town of Sardinia Comprehensive Plan was adopted in 2003, over 17 years ago. The plan was well crafted and served to guide the community, both citizens and local officials through the land use decision making process for many years. For the 2003 Plan, the Town created a Comprehensive Plan Committee (CPC) to aid with the Plan's development. The 2003 Plan was a "full" Comprehensive Plan, addressing a wide range of issues and concerns. The 2021 iteration of the Plan is a more limited update, meant to address specific needs within the Town, including large scale commercial/utility development projects that were previously unforeseen as a possibility within the Town of Sardinia.

In 2020, the Town was faced with a large-scale solar project, and Erie County offered a grant to help communities, such as Sardinia to update their Plans including addressing issues such as large green energy projects and agricultural impacts (Map 1). The Town received the grant and hired Wendel Companies to update the Plan based upon the grant and the Town Board's direction.

The 2021 update was led by the Town Board to address this immediate need. The update was not intended to change the vision of the Town, but to look at what has happened over the last 17 years and evaluate and make changes to the recommendations of the Plan. It is a supplement, with many of the 2003 Plan concepts, ideas, and mapping included in this update. It is designed to address immediate concerns not addressed in the earlier document. Specifically, the pending large-scale, green energy project currently under consideration in the Town was a motivating factor. The Town was concerned that it should take an appropriate and reasoned response to the proposed development, in a manner that maintains local character while accommodating community needs. Green energy projects of this scale were not previously envisioned in the Town. These green energy projects were aided by the recent passage of New York State laws aimed at incentivizing and accelerating the permitting process for renewable energy projects. This 2021 Plan update builds upon the work completed for the 2003 Plan and considers the legislative changes that have occurred over the last 5 years at the State level.

## **2. EXISTING CONDITIONS UPDATE SUMMARY**

For the 2021 update, additional information was added to reflect what has changed over the time since the 2003 Plan's adoption. The 2003 recommendations served as a basis for this update, but some were deleted, and some were revised or added to, to reflect current conditions and issues in the Town.

This section provides an overview and assessment of existing conditions in the Town of Sardinia. It builds and expands upon the existing 2003 Plan. This section addresses environmental resources, transportation, utilities, agriculture, existing land use, zoning, and demographics.

### **Environmental Resources**

Environmental resources in the Town of Sardinia include watercourses, floodplains, wetlands, steep slopes, and forests. These features influence the land use pattern of the Town, provide recreational and tourism benefits, and are significant to the natural ecology of the area. Since these resources have not changed since the 2003 Comprehensive Plan, only a brief description will be provided below. For a full description, see the 2003 Comprehensive Plan (Appendix A).

#### **Watercourses**



Cattaraugus Creek forms the southern extent of the Town and is the boundary between Erie and Cattaraugus Counties. From Sardinia, the creek flows southwest until it drains in Lake Erie. Other watercourses in the Town include Hosmer Brook, Dresser Creek, Hyler Creek, Otis Creek, and Richmond Gulf. Hosmer Creek was the subject of a study by the U.S. Army Corps of Engineers in January 1996 that resulted in revised flood plain boundaries. Pursuant to the New York State Department of

Environmental Conservation (NYSDEC), these watercourses are protected, and stream bank alterations must be permitted. Map 2 depicts the watercourses in the Town.

#### **Wetlands**

There are several State and Federal wetlands in the Town. The State wetlands are predominantly located in the northeast of the Town surround Hosmer Brook and several unnamed tributaries. Mapped Federal wetlands are located throughout the Town. It should be understood that only a small portion of the potential Federal Wetlands in the Town are mapped. Map 2 depicts the mapped wetlands in the Town.

#### **Floodplains**

The Town's southern border, along Cattaraugus Creek, is located in a 100-year floodplain as are



numerous other stream corridors throughout the Town. Map 2 depicts the floodplains in the Town. Note that these floodplains are periodically updated by FEMA, and the map represents the current floodplain boundaries. A recent update to the floodplain maps in Sardinia did not result in major changes to the boundaries.

### *Forests*

There are five County-owned forestry lots in the Town totaling 1,575 acres. Two of these lots are located along Genesee Road, one along Wagner Road, and the last south of Sprague Brook Park at the northwest corner of the Town. These lots provide recreation and tourism services to the Town. The *Erie County Parks Master Plan* and *Erie County Forest Management Plan* recommend keeping the forestry lots in their primarily undeveloped state with maintenance of existing buildings and trails as the primary goal. Map 3 depicts the forestry lots in the Town. Other forested areas exist in the Town, but these mapped forests are the specific forests controlled and maintained by Erie County.



### *Steep Slopes*

Another natural feature of the Town are the steep slopes present in its southern, northeast, and western areas. These steep slopes are a scenic resource in the Town but also require protections to ensure development minimizes erosion and sedimentation. Map 4 illustrates the steep slopes located within the Town.

### Transportation

The existing networks of roads and bridges has not seen much change since the 2003 Comprehensive Plan and service remains adequate for the residents of the Town (with some small problem areas). The Town's main connections to the surrounding region are Route 16 and Route 39.

Public transportation remains very limited in the Town with Rural Transit Service providing the only service in the Town. Eligibility for Rural Transit Service services requires riders to pay property taxes in Sardinia and be a senior citizen, disabled, or low-moderate income. The Niagara Frontier Transportation Authority (NFTA) has no bus routes in the Town and has no plans to extend service.

## Utilities

### *Water*

A private community water system serves approximately 200 residents in the Hamlet of Chaffee. Outside of the Hamlet, the majority of Town residents receive their potable water from private wells. Future expansion of the Town's water system to targeted areas is a priority. The Erie County Department of Health periodically tests the water quality of the residents' private wells. In 2008, testing performed by advocacy group Environmental Working Group indicated one contaminant, Radium-228, at levels above health guidelines but within legal limits. Since then, no abnormal results have been found. Map 5 of the 2003 Plan illustrates the location of water infrastructure in the Town.

### *Sewer*

There is no public sewer infrastructure in the Town and all residences and businesses in the town depend on private, on-site sewage disposal systems.

### *Broadband*

Broadband Internet is available in the Town, but providers are limited, and upload/download speeds may be insufficient to meet user needs. A result of the Erie County Broadband Feasibility Study, ErieNet proposes that 360 miles of fiber optic cable be installed, focusing on rural communities suffering from unreliable access to high-speed Internet. If funded and implemented, ErieNet would benefit the Town by enabling residents and businesses to utilize reliable broadband.

## Existing Land Use Patterns

The Town of Sardinia is a rural, agricultural community located in the southeastern corner of Erie County. The City of Buffalo is located 38 miles to the Town's northwest by car. The Town's land uses are primarily agricultural and rural residential, along with areas of woodlands and undeveloped lands. There are number of hamlets within the Town, where commercial uses are generally concentrated. There is a landfill within the Town, and gravel mines. There are a number of parks, fishing access sites, and Erie County forests. In general, the land use pattern of the Town has not changed greatly over the last 17+ years. Existing land use in the Town can be viewed on Map 6 (this map was generated using RPS data, and only reflects general land uses based on assessment data).

### *Agricultural*

Agriculture is the most common land use type in the Town and features both crop cultivation and livestock production. Sardinia's Agricultural District was incorporated into Erie County Consolidated Agricultural District Southeast #15 in 2017. Lands within the Agricultural District encompass a significant portion of the Town's approximately 50 square miles. A significant proportion (50+) of the Town's lands are in active agricultural usage, although not all lands

within the Agricultural District are farmed. The Town is committed to promoting and protecting its agricultural economy and lands. While Sardinia does not have an Agriculture and Farmland Protection Plan, Erie County has a County-wide plan that addresses agriculture in the Town and provides extensive mapping. The entirety of Erie County's Agriculture and Farmland Protection maps will be included as Appendix C. Of note, to Sardinia, is Map 7 which depicts agricultural parcels, along with cropland coverage in the Town, and Map 8 which illustrates the lands that fall within the County-certified Agricultural District. Clusters of parcels in the Town with a high agricultural soils value, per the County Plan, are shown in Map 9. Refer to the County's Plan for more information on these resources. As discussed later in this Plan, the Town has created a Prime Farmland Overlay district which identifies important farmland soil groups.

### *Residential*

The second most common land use in the Town is residential. Most houses are located on large, rural lots, both in part due to septic system requirements and the rural nature of the town. Higher concentrations of single-family detached homes are found in the Town's hamlets. Frequently, larger residential parcels include land that is farmed. The typical development pattern is road frontage lots along the major roadways. In the past 15 years, the Town has only seen 22 homes built and there have been no multi-family developments. In addition, there have been no major subdivisions, defined as five or more lots, since 2003.

### *Commercial*

There are limited amounts of commercial and industrial property within the Town of Sardinia. Commercial uses are generally concentrated in and around the Town's hamlets, which include Chaffee, Protection (a portion of which is also in the Town of Holland), and Sardinia. Historically, the hamlets of Chaffee and Protection grew around the railroad, while Sardinia was built around industries and businesses located on Hosmer Brook. Today, these hamlets have a mix of commercial, residential, and community service uses. Commercial uses along Route 39 have seen a reduction over the last decade.

### *Landfill*

There is a landfill located in the Hamlet of Chaffee. Approximately 240 acres of the 500-acre site are used as an active landfill. The landfill is operating pursuant to a permit from the NYSDEC. The site has been operated as a landfill since 1958. There are current plans to expand the landfill. Waste Management was granted approval to expand operations by the NYSDEC in the past and was also required to apply to the Town to rezone the property where the expansion occurred. Prior approvals for expansion include expansion to the west (approved in 2006) and the Valley Fill expansion at the northwest of the site (permit received in 2013).

Proposed future expansions include a vertical expansion on the main landfill, and a proposed southern expansion to the southeast of the property. There are also several borrow areas approved and/or proposed. A map of the landfill's plans for expansion is included as Appendix D.



Although many years off, landfills are required to have closure plans, and these plans are on file with the NYSDEC.

### *Community Services and Parks*

The Town's administrative offices are located in the Hamlet of Sardinia. The Town of Sardinia Veteran's Park is located at 13169 Genesee Road in the Hamlet of Chaffee, and Manion Park is off Allen Road. Erie County Forests located within the Town include: #1, #2, #3, #11, and #12. In total, there are 1,575 acres of County Forest land in the Town. In addition, Erie County's Sprague Brook Park straddles the border of the Town of Concord and the Town of Sardinia in the northwestern corner of the Town. Sprague Brook County Park is a 974-acre park owned by Erie County, which offers a wide variety of year-round recreational opportunities, including camping, fishing, picnic sites, baseball diamonds, and tennis courts. An extensive trail system is available for hiking and mountain biking and for sledding, cross country skiing and snowshoeing in the winter. There are also designated snowmobile trails. In the "Erie County Parks Master Plan Update" completed in 2018, Sprague Brook Park is identified as a "Special Use Park" that "should meet the mandate of the County Parks system, for the protection of natural and cultural heritage resources, and provision of recreation activities in natural settings. The Plan specifically calls for the preservation and enhancement of the natural tree stands along Cattaraugus Creek. NYSDEC fishing access sites are located on Hosmer Brook (West Schutt Road/State Route 39) and Cattaraugus Creek (Olean Road/State Route 16). Map 3 illustrates the locations of parks and County Forest lands in the Town.



### *Existing Land Use Patterns - Observations*

- The Town of Sardinia is predominately rural and agricultural. Agriculture, although the largest single land use, does not represent much more than 50% of the community. The rural nature of the Town is also due to the large open space areas/ vacant lands and the low-density residential components. Maintaining that rural character is a priority.

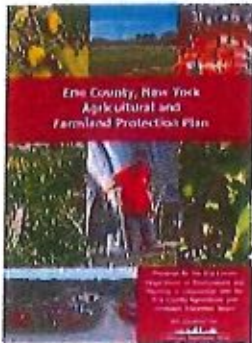
- Erie County forested lands make up 1,575 acres and contribute to the Town's rural character.
- Denser development is concentrated in the three small hamlets: Sardinia, Chaffee, and Protection. Most public services, local parks, and community uses fall within one of the hamlet areas. There is a large County Park in the northwest corner of the Town. The central area of the Town and the steep slope areas are the most rural areas of the Town.
- The Town's land use patterns are consistent with the planning areas from the Framework for Regional Growth, which identifies most of the Town as a rural area but recognizes the hamlet of Sardinia as a rural center where limited growth is appropriate.
- Mining and the landfill are existing uses within the Town that are regulated by the NYS DEC and do have impact on the Town's rural nature (and its economy).
- Land Use patterns and rural character could be affected by large scale green energy projects, especially if not located correctly. They typically are located on "vacant" or agricultural lands.
- The importance of agriculture is supported by the County's Agriculture and Farmland Protection Plan, which has identified two areas in the Town as having high clusters of agricultural soils values.
- The Land Use Regulations Section of the Plan discusses how the community regulates these uses and how they help to protect the rural and agrarian nature of the Town (see that section for further observations and recommendations):
- When identifying prime or important areas of agriculture or agricultural soils, there are several different sources of information. The maps included in this Plan illustrate those identified in the County Agricultural and Farmland Protection Plan and the Town's previous Plan.

### Regional Planning Documents

The following is an overview of several Regional Planning Documents that have been created since the last Comprehensive Plan. These plans are important to the Region's success and should be considered in any Comprehensive Planning effort. Two Countywide plans are very important to the Town of Sardinia: the Erie County Agricultural and Farmland Protection Plan, and the Erie County Parks Master Plan. This update has been prepared to incorporate and support the principles and recommendations in those two plans, which emphasize the importance of protecting critical farmlands and soils and promote the continued protections and stewardship of the parks and forested lands in the Town. Both are described in the following paragraphs. The other regional plans are important to the Town's overall Vision, but contain very few specific recommendations for Sardinia.



### *Erie County Agriculture and Farmland Protection Plan*



The Erie County Agriculture and Farmland Protection Plan was developed by the Erie County Agricultural and Farmland Protection Board in 1998; an update to this plan was developed by the American Farmland Trust in 2012. The preparation of this plan was made possible through grant funding from the New York State Agricultural and Farmland Protection Program, which is administered by the State Department of Agriculture and Markets.

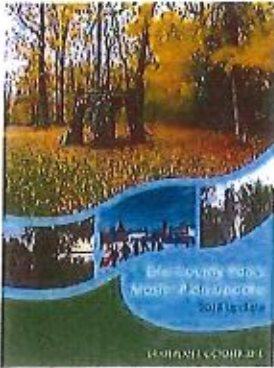
The goal of the Erie County Agricultural and Farmland Protection Plan strategy is to maintain a productive, open landscape that is viable for future generations and that does not preclude more intensive activity when the demand exists. It also sets forth strategies to promote and expand markets for agricultural products. The findings in the plan indicate that Erie County has diverse, productive, vital farms that are located near a sizable population. The County benefits from prime farm soils, a climate that is moderated by Lake Erie, and farmers with years of experience, as well as new farmers who are eager to take on the challenge of agriculture. Additionally, a growing interest in local farms and farm products has boosted agriculture as a visible economic driver that is creating new opportunities for farming in both urban and rural areas of Erie County.

The County's Agriculture and Farmland Protection Plan is intended to direct agricultural planning in Erie County for the next decade and provides a picture of agricultural activity as it presently exists and outlines the loss of farmland that has occurred over the past few decades. The Plan also documents strong public support for agriculture and demonstrates how agriculture has been a significant contributor to the County economy, although much of the County's farmland is now located in the outer ring of municipalities, adjacent to neighboring counties that are more rural in character. Focusing on agricultural economic development holds significant promise for Erie County farms, particularly regarding direct marketing opportunities and opportunities to improve farm viability and profitability through coordinated economic development efforts.

The two major strategies and associated goals and recommendations set forth in the Erie County Agricultural and Farmland Protection Plan include keeping land in agricultural production by protecting farmland, helping a new generation to farm, and improving the viability of all farms in the County. The Plan also identifies two groupings of large farmland parcels with excellent soils in the Town. These areas are considered excellent for farming due to their soils, size, and proximity to adjacent farmland.



### *Erie County Parks Master Plan*



The Erie County Parks Master Plan (2019) is a comprehensive plan, first prepared in 1961 and updated approximately every 15 years thereafter. The Plan inventories the County's extensive park system and provides recommendations to preserve, enhance, and improve the existing system assets and landscaping setting.

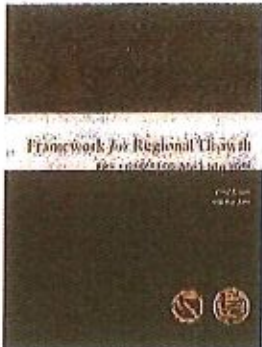
Due to the diversity and variety of the County parks, a park classification system was developed to serve as a guide for future management and use.

The classifications include the following:

- Heritage Parks – The four original County parks, and Akron Falls Park.
- Waterfront Parks – Parks along the waterfront with significant views and waterfront recreation.
- Special Purpose Parks – Parks fulfilling a specific function within the recreation delivery system (e.g., golf, camping). Sprague Brook Park, partially within the Towns of Sardinia and Concord, offers many activities including camping, hiking and mountain biking trails.
- Conservation Parks – Formally undeveloped parks that are generally intended to remain in a natural state.
- Forest Management Areas – Lots comprised primarily of plantation forests. Five of thirteen forestry lots are located in Sardinia.

The Plan supports the repair and improvements of forestry lot structures and the provision of walking, horseback riding, hiking, and cross-country trails where appropriate.

### *Erie Niagara Framework for Regional Growth*



The Erie Niagara Framework for Regional Growth, adopted in 2006, was prepared and supported by Erie and Niagara Counties. It sets forth a blueprint to support the actions of county and regional agencies as they relate to the area's physical development. It is designed to inform state and local governments, private developers, and non-profit organizations about the process and actions County government could undertake when making decisions affecting the region's development. The Framework establishes basic policies and principles to guide the future growth and development of the region, and provides:

- A vision for how the region should grow and redevelop over the next 15 years
- Direction on growth and redevelopment to County decision makers and other regional organizations that are linked to the two counties via funding, membership and other relationships
- Information on the ways local government, private sector and non-profit actions and initiatives can reinforce the overall regional vision



- Mechanisms to ensure that the goals, concepts and recommendations of the Framework for Regional Growth are implemented in an efficient and accountable manner.

The Framework examines the regional context and challenges and establishes guidance for growth and investment in several areas. One area in particular is the loss of rural, agricultural and environmentally sensitive lands. The report recognizes that the loss of agricultural lands and the associated effects on rural economies and landscapes warrants attention for several reasons.

The Framework's core policies and strategies offer guidance regarding the type and pattern of development for three broad geographic areas: *Developed, Developing, and Rural*. Rural areas include the region's least intensely developed areas, where there are large, contiguous blocks of farmland and/or forested land, as well as compact commercial, public and residential uses clustered in hamlets or incorporated villages.

For each of these three areas, the Framework offers:

- high level policy direction for regional decision-makers
- guidance for municipal officials and community stakeholders regarding regional preferences for future development and conservation
- a baseline to compare future conditions with existing conditions and Framework growth targets

All of Sardinia lies within the Rural Policy Area. The guidance for rural areas includes conservation of agricultural lands, and initiatives targeted toward rural economic development. Within the Town, the Framework identifies Chaffee as a rural center. Guidance for rural centers includes revitalization, adaptive reuse of historic buildings, and infill development.

The Town of Sardinia's Goals are very much in alignment with the Policies of this Plan.

#### *Western New York Regional Economic Development Strategic Plan: A Strategy for Prosperity*



The Western New York Regional Economic Development Strategic Plan is a comprehensive plan first prepared on behalf of the Western New York Regional Economic Development Council in 2011, with annual updates. It is intended to create a more dynamic and sustainable economy for the region. The Plan reflects the values, perspectives, and aspirations of the people in the region.

The Plan is aimed at making fundamental improvements in the economy to ensure sustainable and long-term growth in jobs and income in the five-county area, and to contribute to the resurgence of the broader economy of New York State.

The Strategy for Prosperity focuses on three fundamental issues that, if addressed properly, can create the right environment for achievement. These issues include job readiness, smart growth and entrepreneurship. The Strategy also puts forward ways to capitalize on opportunities in eight industry sectors where Western New York is the strongest.



The Town of Sardinia's Goals and the recommendations of this Plan are aligned with the strategy of this Plan. The Town has targeted areas for job readiness and encourages entrepreneurship through some of the creative zoning tools (see land use section and recommendations). Smart Growth is defined as growth in accordance with a well-reasoned Plan that acknowledges and supports regional initiatives.

#### *Western New York Regional Sustainability Plan*



The Western New York Regional Sustainability Plan was prepared in 2013 for the New York State Energy Research and Development Authority (NYSERDA) under the Cleaner, Greener Communities (CGC) program. It was developed to create a future where social and environmental issues in the five-county region are addressed within the framework of a sustainable regional economy. The Plan promotes the creation and maintenance of conditions under which Western New York communities utilize their resources in the most effective ways to permit social and economic growth, while preserving natural resources. The Plan focuses on six areas that are critical to attaining sustainability in the region, including agriculture and forestry and energy resources. The other areas are land use and livable communities, transportation, water resources, and water management. The Regional Sustainability Plan considers agriculture and forestry as two important industries that provide tremendous economic value and environmental benefits to local communities. The need to incorporate sustainable practices, protect agricultural land and increase the availability of value-added products are recognized in the Plan, as well as the fact agriculture in the region is important in supporting the entire food system from farmers to processors and restaurants to grocers. Land that remains in farming also provides scenic, employment and tourism benefits while avoiding the costs of urban sprawl.

#### *Erie County Forest Management Plan*



The Erie County Forest Management Plan (2003) was prepared to outline the standards and principles required to create and maintain sustainable forests in Erie County and includes supports recommendations based on sound biological, economic, recreational, educational, and public safety considerations.

The Plan outlines a series of goals and recommendation actions to achieve its goal of creating healthier and sustainable forests. The goals and recommendations actions are outlined below and include:

- Creating educational and economic opportunities for taxpayers, community groups, and educators
- Utilizing forestry lots for scientific experiments in ecology and forestry
- Putting forest products to good use and for public projects

- Reducing taxes through profits from sales of lumber products
- Providing for water resource protection, wildlife habitat enhancement and fire protection
- Encouraging/enhancing recreational use.

Recommendations specific to the forestry lots in Sardinia include maintaining maple sugaring operations, implementing environmental education programs, and maintaining established trail systems.

### Land Use Regulations

#### *Subdivision Regulations*

Pursuant to NYS Town Law, the Town has the authority to develop subdivision regulations and is authorized and empowered to approve plats pursuant to the policies outlined therein. Unlike zoning ordinances, subdivision regulations need not be in accordance with a comprehensive plan and can be enacted as general legislation. Currently, the Town does not have any subdivision regulations in effect.

#### *Zoning*

The primary means of regulating land use in Sardinia is zoning. Under NYS Town Law, municipalities are granted the power of zoning "for the purposes of promoting the health, safety, morals, or general welfare of the community." The Town's zoning regulates the type of uses that are allowed and establishes dimensional standards such as building heights, yard sizes, and density. They are intended to prevent land use conflicts and to guide how development occurs in the Town. The Town of Sardinia Zoning Code establishes 10 zoning districts, including three overlay districts. See *Map 10: Zoning*. There have been no significant changes to the zoning districts since the last Plan, although a Solar Energy Systems Law was adopted in 2017 and based on the work completed for this Plan, a new/updated Solar Energy Law and Battery Storage Law were adopted in 2021. Other changes to the code since 2003 have largely been clarifications and improved definitions.

The zoning districts of the Town include (with a summary of their purpose):

#### ***Agricultural-Residential District (AR)***

The purpose of the AR district (§115-19) "is to encourage the use of land that for agrarian purposes and to limit the density and location of residential development within the district to preserve existing agrarian practices and to protect prime farmland soils for future agrarian purposes." Large-scale solar systems are permitted in the AR district. The AR district allows mining through an Overlay district (see below).

#### ***Mined Land Overlay District (ML)***

The purpose of the ML district (§115-19(k)) is to permit sand, clay, and gravel mines, provided that the property owner obtains a New York State Department of Environmental Conservation mining permit requiring concurrent reclamation and mitigation for the loss of prime farmland. Map 11 depicts the ML district.

***Hamlet Residential District (HR)***

The purpose of the HR district (§115-20) "is to provide for land areas devoted for infill residential development within the Town's two established hamlets, encouraging residential development around the Town's centers away from agrarian practices and prime farmland soils with a maximum density of one dwelling unit per 20,000 square feet of land area."

***Hamlet Business District (HB)***

The purpose of the HB district (§115-21) "is to provide land area for mixed-use commercial and residential development consistent with traditional neighborhood design. Development which is pedestrian in scale and consistent with the historic and visual character of the Town's two hamlets."

***Limited Commercial District (LC)***

The purpose of the LC district (§115-22) "is to provide for land areas devoted to commercial use, adjacent to those portions of the Town's regional arterial highways which can accommodate commercial development on sites that do not pose constraints due to steep slopes or sites, which do not pose potential traffic safety hazards to vehicular users of the regional arterial highways."

***Business-Light Industrial District (BL)***

The purpose of the BL district (§115-23) "is to provide for land areas which allow for the mix of commercial and light manufacturing uses along the Town's regional arterial highways, where existing commercial and light manufacturing land uses are currently concentrated, and which benefit from adjacent regional transportation corridor."

***Government-Community Facilities District (GCF)***

The purpose of the GCF district (§115-24) "is to designate land areas for public and semipublic facilities, including governmental, religious, educational, protective and other civic facilities, in order to ensure the proper location of such facilities in relation to transportation and other land uses within the Town, compatibility of such facilities with adjacent development and proper site design and land development."

***Parks, Recreation, and Conservation District (PR)***

The purpose of the PR district (§115-25) "is to provide for land areas within the Town that are devoted to public and private recreational open space for passive/active recreational purposes and the conservation of natural resources."

***Prime Farmland Overlay District (PFO)***

The PFO district (§115-26) was established because "farming and agricultural uses are further recognized by the Town as the preferred land use, and which contribute to the Town's character and identity as a rural community. Therefore, consistent with the Town's Comprehensive Plan goal of promoting the continued viability of agriculture and retention of farmland" the Town created the PFO district, with the goal of balancing "the

demand to convert lands which have prime farmland soils to more intensive land uses, with the community's goal of promoting the retention of farmland for future generations. Map 12 depicts the PFO district.

#### ***Conservation Protection Overlay District (CPO)***

The LC district (§115-30) was established because "the Town of Sardinia recognizes that natural features such as steep slopes, wetlands, streams and floodplains, if not safeguarded from physical alteration and development, such alteration and development can create cumulative negative impacts to the health, safety and general welfare of the community. Construction on steep slopes can contribute to erosion and soil destabilization; the placement of habitable or occupied structures within floodplains can place persons and property in physical danger; and the destruction of wetlands can cause water quality degradation, destroy natural habitat for wildlife, disrupt wildlife ecosystems and cause increases in flooding. Therefore, the Town hereby establishes a Conservation Protection Overlay District (CPO) consistent with the natural resource and environmental protection goals adopted in the Town's Comprehensive Plan." Map 13 depicts the CPO district.

#### ***Manufactured Housing Park District (MHP)***

The purpose of the LC district (§115-31) was established because "The Town recognizes the importance of providing affordable housing opportunities to individuals and recognizes that alternative housing types, such as manufactured homes, allow home ownership possible to those individuals that cannot otherwise afford traditional stick-built housing. The purpose of these regulations is to provide standards for the location of manufactured housing developments which recognize the Town's aesthetic value of maintaining its rural character; limit densities of units to protect and conserve prime farmland soils; promote public health, safety and general welfare of the community and govern the installation and occupancy of manufactured homes."

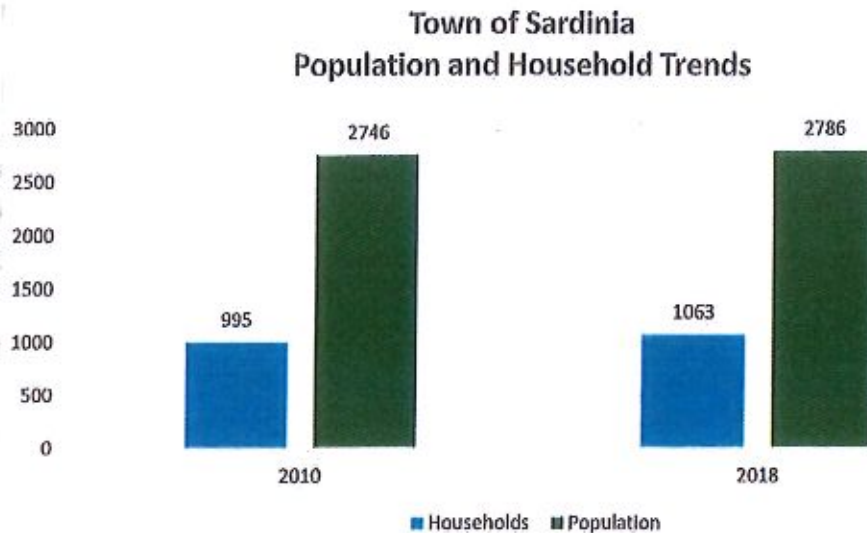
#### **Land Use Regulations (Zoning) - Observations**

- The Town of Sardinia's Land Use/Zoning Regulations are a fairly standard zoning code with five general use districts that represent Agricultural, Residential, Business and Light Industrial uses. It also includes specialty districts; Government Community Facilities, Parks/Recreation/Conservation, and a Manufactured Housing Park. These reflect a more up to date approach to regulating these uses.
- The unique parts of the regulations, which reflect some of the community's specific goals, are the Overlay Districts: Prime Farmland, Conservation Protection, and the Mined Land. Each provides tools for protecting and encouraging agriculture and the protection and protection of important community features which promotes the Town's rural character.
- The Town also allows "Municipal Solid Waste Landfills" by Special Use Permit in the BL district. It restricts the types of landfills that can be put in the Town and establishes standards for their potential approval. This allows the Town the power of controlling where these facilities are located (once zoned correctly, approvals come through the NYSDEC).



### Demographic Trends

The Town has experienced some demographic changes since the completion of its last Comprehensive Plan in 2003. The primary source of data for the information presented below comes from the U.S. Census Bureau. Two primary datasets are used when aggregating data: the Decennial Census and the American Community Survey (ACS). Until the results of the 2020



*Figure 1*

*Source: US Bureau of the Census, ACS 5-Year Estimates Data Profiles*

Decennial Census are published, the ACS data is the most up-to-date information available on the community.

### **Town of Sardinia - 2018 Housing Tenure**



*Figure 2*

*Source: US Bureau of the Census, ACS 5-Year Estimates Data Profiles*



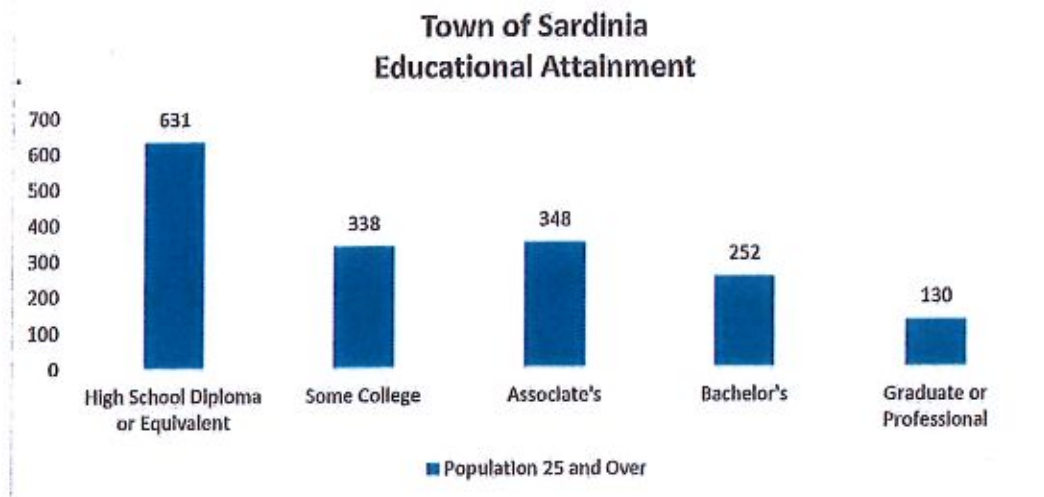
The Town's population has increased from 2,692 in 2000 to an estimated 2,786 in 2018, a 3.49% increase (approximately 5.2 people per year, over the 18-year period). From 2010 to 2018, the number of households in the Town increased from 995 to 1,063, a 6.83% increase (approximately 8.5 households per year, over the 8-year period). Household growth exceeds population growth due to a trend toward smaller household size, particularly growth in the number of one-person households. The average owner-occupied household size in the Town was 2.82 in 2010. This number had decreased to 2.45 in 2018.

Sardinia's housing stock is characterized by single-family homes, and 84% of the housing units in the Sardinia's housing stock are owner-occupied. Approximately 9.5% of housing units in the Town are vacant. A vacancy rate of approximately 5% is considered normal and takes into account the natural mobility in the market related to turnover involving home sales and apartment transitions.

Most (87.4%) of the housing units in Sardinia were constructed prior to 2000, with 27.2% being constructed prior to 1939. The next highest percentage grouping for housing unit date of construction occurred between 1970 and 1979, when 20% of the housing units in the Town were constructed. Housing units constructed between 2000 and 2018 account for less than 13% of the Town's housing units.

Consistent with regional trends, the Town of Sardinia is trending older. In 2010, the median age in the Town was 42.3 years. In 2018, the median age in the Town increased to 43.8 years.

In 2018, 24.1% of the Town was under the age of 18 and 18.4% of the Town was over the age of 65. In 2010, 23.5% of the Town was under the age of 18 and 12.4% of the Town was over the age of 65. The median income in the Town increased from \$30,015 in 2010 to \$32,440 in 2018.



**Figure 3**  
Source: US Bureau of the Census, ACS 5-Year Estimates Data Profiles

### *Demographic Trends - Observations*

Sardinia's population is more stable than Erie County's on the whole. From 2010 to 2018, Erie County lost approximately 1,336 residents. Sardinia avoided this trend, adding 94 residents during this same time frame. The number of households in Sardinia continued to grow from 2010 to 2018, but the size of these households reduced. Although the Town population and households are increasing, the size of the increase is very small. At present, the growth rate in the Town is very sustainable, with only a few new houses being built each year.

The vacancy rate is a little high and efforts could be made to encourage the filling of these vacancies or the removal of houses that cannot be re-used.

The Town's population continues to trend older and is an older median age than NYS and the Nation. In NYS the median age was 39 years in 2018. Nationally the median age was 38.2 years in 2018.

The median income in the Town (\$32,440) was slightly over the County median (\$30,716), and slightly over neighboring municipalities such as Concord (\$29,670) and Holland (\$30,844). Most Town residents have college experience (54.6% of the population 25 years and over reports some college, associate degree, bachelor's degree, and or graduate degree).

### 3. VISION AND DIRECTION OF THE PLAN (RECOMMENDATIONS)

This section of the Comprehensive Plan updates the targeted areas identified in the Town of Sardinia's 2003 Plan. This update builds upon and, where necessary, clarifies the goals and amends the recommendations outlined in the 2003 Comprehensive Plan. This update was also designed to expand upon the 2003 goals, by ensuring consistency with Regional Planning documents. Including, but not limited to: *One Region Forward: A New Way to Plan for Buffalo Niagara* (2014), the *Framework for Regional Growth: Erie & Niagara Counties, New York* (2006), the *Western New York Regional Sustainability Plan* (2012), the *Regional Economic Development Council: A Strategy for Prosperity in Western New York* (2011), and the *Erie County Broadband Feasibility Study* (2017).

The goals of the Town focus on the major issues and concerns of the Town and are aimed at helping guide future growth and development in the Town of Sardinia. A particular issue that has occurred over the last year is the potential for large scale, commercial/utility grade, renewable energy projects such as solar installations. This issue will be addressed in this Plan update.

The goals of a Comprehensive Plan establish what is most important to a community. They represent local values and priorities and provide insight into what the community will focus on for its future. This plan update seeks to further clarify these goals by providing more detail to what the community is trying to accomplish. As such, these clarified goals are used to help guide future decisions about growth, development, budgets, etc. in the Town so that individual decisions are made with an understanding about how they relate to the community's preferred future. The goals and the Plan itself also provide guidance for decision makers at the County, Regional and State levels. The goals are general in nature, so they can remain relevant over the long-term. These goals also form the foundation for the specific actions – the recommendations of the Plan – that the Town will undertake to achieve the vision. In general, goals and actions are developed with a horizon of approximately 5 to 10-years.

#### Land Use Goals:

- ♦ Preserve and protect the rural and small-town character of the Town of Sardinia
- ♦ Balance residential and business development with the protection of natural resources, agricultural land and rural character
- ♦ Manage growth to ensure high quality development
- ♦ Encourage the re-use of outdated and vacant structures
- ♦ Focus growth and the type of growth in the targeted areas identified in this plan

#### Recommended Actions

1. Continue to enact zoning regulations and a zoning map that balances the competing needs of the various land uses in the Town, as represented in the Vision Map (included at the end of this Section). This Vision map illustrates the generalized land use pattern of the

Town and how those uses fit together. The Vision Map includes important agricultural areas, major forest and recreational areas, conservation areas/creek protection areas, recreation/conservation areas, hamlet areas (growth areas), the landfill area and the rural area of the Town that is not part of any other of these areas. This map is not a future land use map, but it allows the reader of this Plan to understand how these land uses come together and what is needed in these areas.

2. Develop simple subdivision regulations to provide for the orderly division of parcels of land.
3. Continue to develop regulations and guidance documents that help to reflect the agrarian nature of the Town and protect these "businesses" from adverse impacts that could lead to changing the character of the community. See the recommendations on agricultural and farmland section.
4. Consider creation of other zoning overlay districts for the Hamlet areas and other areas denoted in the Vision map.
5. Develop (completed) updated regulations for large-scale green energy projects, especially for those systems that occupy large areas of land.
6. New zoning regulations (and other regulations) should encourage the re-use of vacant structures.

#### *Natural Resources and Environmental Protection Goals:*

- ♦ Protect natural resources such as streams, wetlands, and wildlife habitats
- ♦ Maintain the water quality of streams
- ♦ Protect land from erosion along Cattaraugus Creek and other natural drainage ways
- ♦ Protect the quantity and quality of groundwater
- ♦ Continue to identify and evaluate the potential hazards of the landfill and gravel pits
- ♦ Encourage cooperative, mutually beneficial policies for use in dealing with existing landfill and gravel pit issues

#### *Recommended Actions*

##### **Groundwater protection**

1. Continue the Town's well testing program. Continue to monitor wells near the landfill as well as private wells throughout the Town.
2. Provide information to residents regarding groundwater protection. Include information on the proper disposal of automotive and household chemicals, septic system maintenance, and the application of lawn care chemicals.
3. Provide information regarding agricultural environmental management practices used by farmers to protect groundwater (See Agriculture section.). Assist farmers with applying for grants to help with these management practices.
4. Ensure that Town zoning actions do not result in the contamination of groundwater by toxic substances.
5. Review the Conservation Overlay periodically to consider other important natural features and expand the Overlay area as necessary.

6. Continue to properly regulate and control the expansion of mining and landfilling in the Town.

#### **Stream Corridor Protection**

1. Establish zoning regulations that limit the removal of vegetation in erodible areas along Cattaraugus Creek.
2. Seek funding to help landowners construct improvements to prevent further erosion.
3. Work with the County and other regional organizations to develop programs for the protection of these important stream corridors.

#### **Landfill**

1. Following receipt of an application to the NYS Department of Environmental Protection for a waste disposal permit, the Town Board should work closely with the NYS DEC under the State Environmental Quality Review Act (SEQR) and provide for a thorough environmental review of the application. DEC should be required to address the regional need for additional landfill capacity, and to provide complete documentation of test well sampling. DEC should also hold a public hearing prior to making a decision on the application.
2. The Town Board should evaluate the pros and cons of rezoning the Waste Management parcel to accommodate the expansion of the landfill before making a decision regarding rezoning the property. The evaluation should identify and consider all potential adverse and beneficial impacts that could result.
3. The Town should continue to work with Waste Management and the NYSDEC on the Closure Plan for the landfill, especially as it relates to the "end use" for the landfill ("post closure period").

#### **Gravel Mining**

1. Continue to work with NYS DEC in the review and monitoring of existing mines and reclamation plans.
2. The Town should utilize this Plan, other Plans and the information submitted about any future gravel mining sites, to make decisions on allowing any future gravel mining sites (it is a zoning decision that requires reference to the Comprehensive Plan)

#### **Agriculture and Farmland Goals:**

- ✦ Promote the continued viability of agriculture and the retention of farmland.
- ✦ Help to promote and implement the policies and recommendations of the County Agricultural and Farmland Protection Plan.
- ✦ Working with the Farming Community, have Town regulations that allow farmers to

thrive and continue their important businesses and create new agriculturally related ones.

*Recommended Actions:*

1. Provide information to landowners to encourage the protection of agricultural land through private conservation easements. Distribute information about programs operated by the Western New York Land Conservancy and literature published by the American Farmland Trust.
2. Provide information to residents about the value of agriculture to the Town and about customary agricultural practices.
3. Continue to establish zoning regulations (expand upon the PFO) that discourage intensive development in high quality agricultural areas and reevaluate the PFO boundaries, considering the County's plan and information concerning prime and statewide important soils.
4. Establish subdivision regulations to enable the Planning Board to review new residential development and to encourage designs and buffers that minimize conflicts with neighboring agricultural uses.
5. Consider applying for an agricultural grant to help complete a Town Agricultural and Farmland Protection Plan.
6. Refer to the County's Agricultural and Farmland Protection Plan when considering actions that could affect agriculture. When the County's Plan is updated, actively participate in this process.
7. Consider the utilization of monies generated from large-scale solar energy system projects in the Town to help protect other farmlands in the Town or to help farmers continue to farm.
8. Reduce the impacts of large-scale solar energy system projects on Agricultural lands by improving the Town's solar energy system law (update of Town law).
9. Consider new zoning language/laws for Agricultural areas/lands to allow for more creative uses of the land that allows farmers the opportunity to create other income generation (ultimately allowing the farmer more options to stay in business).

*Housing & residential development Goals:*

- ♦ Encourage housing development within the Hamlets of Chaffee and Sardinia.
- ♦ Balance residential development in the countryside with the protection of prime farmland, natural resources, and rural character.
- ♦ Encourage the development of affordable housing in the Town by permitting the construction of a variety of types and sizes of dwellings.
- ♦ Encourage property owners to better maintain their residences and property.
- ♦ Encourage responsible housing rehabilitation which includes the safe and proper abatement of hazards such as lead paint, asbestos, radon, etc.

*Recommended Actions:*

1. Periodically disseminate information to residents about the Erie County and Southtowns Rural Preservation Company housing assistance programs by distributing program literature at the Town Hall and to banks, senior citizens, churches; sponsoring seminars; making announcements at Town Board meetings.
2. Revise zoning regulations to encourage well-designed residential development that is consistent with the natural and agricultural features of the Town.
3. Revise Town zoning regulations to encourage higher density residential development in appropriate areas of the Town, such as the in the Hamlets of Chaffee and Sardinia.
4. Retain provisions in the Town zoning regulations that permit a wide range of housing types and sizes to accommodate affordable housing needs in the community.
5. Develop subdivision regulations to provide for the orderly division of parcels of land for residential development.
6. Pursue funding for housing improvements in targeted areas within the hamlets and elsewhere where needed.
7. Consider the use of tax breaks (485 programs) to help encourage residents to invest in their properties.
8. Research and develop appropriate tools to encourage the re-use, transformation or demolition of existing vacant structures.

*Economic and Business Development Goals:*

- ♦ Maintain a supportive business environment to retain existing businesses and to attract new business development.
- ♦ Encourage commercial and industrial expansion and new commercial and industrial development in appropriate areas of the Town. In particular:
- ♦ Encourage the clustering of businesses in specific areas along Routes 16 and 39 and East Schutt Road.
- ♦ Encourage limited business development in and around the Hamlets of Chaffee and Sardinia of the type and scale that is harmonious with the residential neighborhoods of the Hamlets.
- ♦ Encourage tourism, eco-tourism and agri-tourism, and related business development in appropriate areas.

*Recommended Actions:*

1. Revise zoning regulations and review procedures to accomplish the goals and recommendations of this Plan. For example, allow agritourism in the appropriate areas of the Town.
2. Designate business districts to allow both commercial and industrial uses in appropriate areas.

3. Increase the depth of commercial and industrial districts to 1,000 feet, where appropriate.
4. Continue to permit hybrid industrial-retail businesses in the industrial-use districts.
5. Permit small-scale business development within the Hamlets of Chaffee and Sardinia that would be compatible with nearby residential neighborhoods (for example, neighborhood or traditional business district).
6. Permit the establishment and operation of farm markets that sell farm products and goods that are not grown or produced on the property on which the market is located.
7. Continue to permit the establishment and operation of bed and breakfast inns, trailer camps and outdoor recreational businesses in the Town.
8. Develop and utilize design standards to ensure that buildings that are constructed or modified in the Hamlets of Chaffee and Sardinia for commercial use have a scale and appearance that is in harmony with the residential neighborhoods.
9. Continue to provide property tax incentives for commercial development and redevelopment through Section 485-b of the NYS Real Property Tax Law. Also consider Enhanced Section 485-b in targeted areas.
10. Make Section 108 financing to local businesses that need low-cost financing, and for which RDC, ILDC and ECIDA financing is not suitable and/or not available.
11. Encourage commercial developers to donate cross-access easements for use for internal roadways and shared access driveways with adjoining commercial parcels.
12. Improve tourism by working with the County on promoting the important forest lands and Sprague Brook Park.
13. Help to promote existing agritourism efforts by the County.
14. Consider the use of Host Community Agreement monies generated from large scale energy projects to promote and improve economic opportunities in the Town.

#### Hamlets Goals

- ◆ Encourage improvements and development within the Hamlets that reinforce the small town, neighborly, and pedestrian-friendly atmosphere
- ◆ Encourage additional business development, of appropriate scale and with appropriate buffers, within the Hamlets of Chaffee and Sardinia
- ◆ Encourage additional housing development within the Hamlets of Sardinia and Chaffee
- ◆ Improve pedestrian circulation and accessibility within the Hamlets
- ◆ Consider the development of trails in appropriate areas to link the Hamlets with the Town Parks
- ◆ Develop a focal point within the Hamlet of Sardinia that is consistent with its historic character
- ◆ Ensure a continued and reliable supply of high-quality water to customers in the Hamlet of Chaffee



#### *Recommended Actions*

1. Enact zoning regulations that acknowledge the unique characteristics of the residential and business areas within the Hamlets (for example, create a Hamlet Business district that would allow mixed uses).
2. Pursue funding for housing improvements within target areas in the Hamlets of Sardinia and Chaffee.
3. Continue to work with the U.S. Postal Service to retain the post offices in Chaffee and Sardinia.
4. Implement a tree planting program in the Hamlets of Chaffee and Sardinia to provide for the replacement of dead and diseased trees as they are removed.

#### *Historic resources Goal:*

- Encourage the protection of historic buildings and landscapes.

#### *Recommended Actions*

1. Establish a recognition program for privately owned historic buildings.
2. Provide information to owners of historic buildings and properties regarding grant programs.
3. Distribute pamphlets and sponsor workshops that provide suggestions for appropriate exterior treatments of historical buildings and appropriate landscaping.

#### *Parks and Recreation Goals:*

- Maintain and improve the existing Town Parks.
- Improve recreational opportunities for youth and other Town residents.

#### *Recommended Actions*

1. Develop a master plan for each of the Town parks, including a landscaping component, to guide future park development. The master plan should address the feasibility of the following recommended improvements:
2. Develop an ice/roller skating rink in the Chaffee-Sardinia Park.
3. Install lighting to illuminate the tennis courts in the Chaffee-Sardinia Park.
4. Install a basketball goals/basketball court behind the Town Community Center and additional lighting to illuminate the goals/court.
5. Consider walking paths in Veteran's Park.
6. Encourage community organizations to continue to provide recreational programs and opportunities.

### Transportation and Infrastructure Goals

- ✦ Maintain and improve the quality of roads and highways in the Town
- ✦ Encourage bike paths and pedestrian friendly transportation systems throughout the Town
- ✦ Consider the development of trails in appropriate areas to connect recreational facilities to Town residents
- ✦ Ensure a continued and reliable supply of high-quality water to water customers in the Hamlet of Chaffee
- ✦ Extend public utility services as needed to serve business and economic development.
- ✦ Encourage/support the improvement of cable and Internet services in the Town

### Recommended Actions

1. Enter preliminary discussions with Village of Arcade to determine availability of an alternate source of water supply.
2. Work with Erie County and NYS in continuing the push for improvements to internet services
3. Consider encouraging/allowing the use of alternative energy systems for generating electricity as a special use in the Agriculture/Residential district and to promote the use of anaerobic digesters to produce methane gas from livestock manure.
4. Pursue an expansion of the cable television service area to the extent feasible at the time a successor franchise agreement with the cable television service provider is being negotiated.
5. Apply for grants to help expand water services.

### Governmental and Community service Goals:

- ✦ Continue to maintain Town facilities and roadways in good condition.
- ✦ Continue to provide existing Town services and programs.
- ✦ Improve fire protection in the Hamlets of Chaffee and Sardinia.
- ✦ Retain existing services provided in the Town of Sardinia by Erie County and U.S. Postal Service

### Recommended Actions:

1. Develop additional sources of water in the Hamlets of Sardinia and Chaffee, and in the commercial district of the Town for firefighting purposes.
2. Encourage Town residents to become volunteer firefighters in the Chaffee-Sardinia Memorial Fire Company.

#### **4. IMPLEMENTATION STRATEGY**

The preparation and adoption of the Comprehensive Plan update is a continuation of the planning process. While this document is a minor update prepared to balance agricultural preservation with green energy development, a full update is expected to be prepared expeditiously.

The Comprehensive Plan update is an active document and should continually be updated. Therefore, the Town of Sardinia must take the necessary steps to ensure that the recommendations of this Plan update are implemented. Thus, this chapter of the Plan update outlines an implementation strategy for achieving some of the goals and recommendations set forth in Chapter 3. This chapter does not include all the recommendations outlined in the Plan (see Chapter 3 for all discussions), just those recommendations that must occur in a planned order or are strongly prioritized. The following implementation strategy includes a step-by-step approach with established priorities.

An effective Comprehensive Plan will reflect the changing circumstances and conditions in the Town, the region, the State and the Country. The Town should regularly assess the Plan and its recommendations, updating recommendations and prioritization as circumstances dictate.

##### **Highest Priority Actions: Immediate Actions**

- After the Plan is adopted, the Town should form a Comprehensive Plan Implementation Committee (CPIC). This committee will take responsibility for overseeing implementation of the Plan. The committee's duties include identifying projects that will help the Town with implementing its vision and reviewing actions for their consistency with the Town's vision. The CPIC can also provide assistance to other boards, departments and committees on how to use the Comprehensive Plan as a basis for decision-making. The committee should also begin the process of developing a more comprehensive update of the Comprehensive Plan.
- An electronic copy of the Comprehensive Plan should be made available on the Town's website. Hard copies of the Comprehensive Plan can be provided to appropriate Town departments, committees, and boards. The Planning Board and Zoning Board should use the plan as a reference when they evaluate development projects.
- A copy of the Plan (hard copy and/or electronic) should be provided to Erie County. The Town should consider making copies available to Regional and State agencies. The County and State must refer to the Town's Comprehensive Plan when considering actions or projects that will impact the Town.
- It should be clearly stated policy that the Town Board and Planning Board refer to the Comprehensive Plan when evaluating potential re-zonings. If the proposed rezoning conflicts with the Plan, the Town can refuse to entertain it. In cases where the Plan is not

clear whether the proposed rezoning is in conformance or not, the Town should use the information in the plan to formulate and document the Town's decision.

#### High Priority Actions: Near Term Implementation (First Year)

- The Town should evaluate the Town's zoning ordinance for conformance with the Plan and the Town's stated vision and goals. It is likely there will be conflicts or incongruities, or areas where amendments can make the zoning better support the Town's goals. The Town should identify zoning problem areas and prioritize them to be implemented over time. Some revisions have already been targeted and accomplished (including an updated solar law).
- Town Department heads should refer to the Plan to help in determining specific projects and developing their annual capital requests.
- The Town should investigate whether there are available grant programs to help fund projects that will help implement the Plan's recommendations.
- The Implementation Committee should review the recommendations section and identify projects and activities to sponsor.
- The Implementation Committee should meet with the Town Board at budget time to discuss actions and projects for the coming year and determine the budgets necessary to accomplish those actions.

#### Priority Actions: Ongoing Implementation

- The Town should continue to make progress toward ensuring the zoning code best reflects the goals of the community, by making amendments to the zoning code as needed.
- The Town should also review other Town laws, such as subdivision regulations, to assess their effectiveness in supporting the Town's goals, and amend these laws as needed.
- The Comprehensive Plan Implementation Committee should make an annual report to the Town Board that summarizes the following:
  - I. A summary of the implementation actions accomplished in the preceding year, by the Committee and by the town and its departments.
  - II. A summary of new private and public development projects within the Town over the past year.
  - III. Major county, regional and State actions or projects that have occurred during the past year that may affect the Town of Sardinia.

- IV. Studies and reports completed by the Town, County, and State that relate to the goals and objectives of the Town Plan.
  - V. A proposed work plan for the upcoming year for implementation activities.
  - VI. Recommendations, if any, for revisions, amendments or additions to the Comprehensive Plan document.
- The Town Board should seek to keep the Plan up to date by making recommended additions or revisions on a regular basis. The changes can be as simple as appending new data or studies by reference. More extensive changes could entail revisions to the Recommendations or Implementation sections of the document.
  - Official amendments to the document would require a public hearing on the proposed changes, conducting SEQOR and then officially adopting the changes by resolution or motion at a Town Board meeting.

#### Implementation: Long-Term

- Approximately every five years, the Town should undertake a more thorough assessment of the Comprehensive Plan and determine if a new Update is warranted. This process would entail a more rigorous update to the inventory, expanded public outreach (surveys, public meetings) and a careful look at the goals and objectives for the Town.

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## 5. ENVIRONMENTAL REVIEW/SEQR

A Comprehensive Plan is categorized as a Type 1 action under the State's Environmental Quality Review (SEQR) Act. As such, the Town, as Lead Agency, is required to examine the potential environmental impacts of the plan. To facilitate this requirement, the comprehensive plan itself can be set up to represent the components of a GEIS (see §272-a,8 of Town Law). This format enables the reviewers, the Lead Agency, all involved and interested agencies, and the public to review one comprehensive document that outlines future plans and the potential environmental implications of these plans. The inclusion of this chapter is intended to help in the environmental evaluation.

### Potential Significant Adverse Environmental Impacts

The underlying purpose and a major goal of a Comprehensive Plan is to promote appropriate land use and avoid significant adverse environment impacts in the community that it covers. The Part 2 of the FEAF does not identify any potentially moderate to large impacts and no significant environmental impacts. However, it is important here to acknowledge and discuss potential adverse impacts.

### Short Term/Long Term and Cumulative Impacts

Based on the environmental setting of the Town of Sardinia, the following potentially significant adverse environmental impacts could occur if the community does not plan adequately and provide the proper tools for the management of growth and development. The comprehensive plan is designed to properly guide growth in the Town to lessen the negative impacts of land use and development decisions.

#### A. Impacts on Land (see Environmental Features and land use Maps)

- The Town of Sardinia is rural in nature, a characteristic that is valued by area residents. Inappropriate planning and development actions could negatively impact the land resources of the Town.
- The Town of Sardinia has areas of hydric soils, and some wetlands and floodplains. There are also some areas in the Town with slopes greater than 15 percent. Improper development of these areas could result in drainage, flooding and/or erosion problems within the Town and in downstream areas.
- There are some areas in Sardinia where the soils are categorized as prime farmland, or prime farmland when drained. There are extensive areas covered under Southeast Agricultural District 17, including many farms. Development of these areas could result in the loss of irreplaceable resources.
- Some locations in the Town of Sardinia contain significant areas of mature woodland. Inappropriate development of these areas could have a negative impact on the rural character of the Town and important open space.

#### *B. Impacts on Water (See Map 1: Environmental Features)*

- Hosmer Brook, Cattaraugus Creek, and other waterways run through the Town of Sardinia. Floodplains surround some portions of these waterways. Inappropriate development could lead to flooding or drainage problems, and hazards to public safety. These creeks are also important for environmental protection, open space preservation, drainage, wildlife habitat, and aesthetics.
- Most residences in the Town use groundwater for the discharge of sanitary waste (septic systems).
- There are areas of wetlands and hydric soils. Inappropriate development in these areas could lead to flooding and drainage problems, and adversely impact groundwater resources.

#### *C. Impacts on Flora and Fauna*

- The Town's expansive areas of non-developed lands, fields and woodlands, steep slope areas, as well as the wetlands and creek corridors, support many non-threatened and non-endangered plant, avian and animal species. These areas provide important habitat for many resident species and are an important element of the rural character of the Town. Over-development and poor site planning decisions could adversely impact these resources.

#### *D. Impacts on Agricultural Land Resources (See Maps - Appendix C)*

- Portions of the Town are located in a County designated, State certified agricultural district. One of the important land uses and economic activity in the Town is agricultural.

#### *E. Impacts on Aesthetic Resources*

The aesthetic resources of the Town of Sardinia include significant views (especially in areas around the creek corridors), open spaces, parks, and historic buildings. These resources contribute to the atmosphere and character of the Town, and could be negatively affected by inappropriate development.

#### *F. Impact on Open Space, Parks and Recreation*

- Town and County Parks, County Forests, and NYSDEC fishing access sites are invaluable assets to the Town, drawing use from both residents and visitors.
- The Town also has important open space resources, with large portions of the Town including undeveloped woodlands and meadows.
- Inappropriate development, including increased demands caused by population increases, could have an adverse effect upon these resources.

#### *G. Impact on Critical Environmental Area*

There are no official critical environmental areas within the Town of Sardinia.



#### *H. Impact on Transportation*

- The transportation system in the Town of Sardinia is heavily based upon roadways and automobiles. Public transportation for the general public does not exist, although Rural Transit Service operates in Sardinia to provide transportation needs to eligible senior, low- to moderate-income and disabled residents.
- The rail line is used for very limited commercial, and freight uses only. No passenger rail is available.
- Travel for pedestrians and bicyclists can be difficult in the Town.
- Poorly planned development in the Town has the potential to adversely impact the transportation network. Although the roads are mostly level of Service A, localized problems could occur if development is not planned and designed properly. Development in the surrounding communities may also have impacts on the Town's transportation system.
- Additional development may also increase potential conflicts between automotive and non-automotive modes of transportation.

#### *I. Impact on Growth and Character of Community or Neighborhood*

- The population of the Town of Sardinia has been increasing slightly since 2010.
- The rate of new households has been outpacing new residents slightly since 2010.
- The Comprehensive Plan supports limited residential growth.
- The Town supports commercial and industrial growth in targeted designated areas of the Town in order to support tax base and employment opportunities.
- With targeted, well-planned growth, the Town's character should not be adversely affected.

#### *Adverse Environmental Impacts that Cannot be Avoided*

With or without the adoption and implementation of a Comprehensive Plan, the region will continue to have new development that will impact the environment. The adoption of this plan and implementation of the suggested actions will allow the Town to better manage growth and development and reduce potential environmental impacts. All development actions taking place after the completion of this study will still be subject to the State Environmental Quality Review (SEQR) process on a site-specific basis. This plan can assist with the review of those future development actions.

#### *Growth Inducing Aspects of the Plan*

Most of the implementation actions outlined in this study will help to control and moderate growth within the Town and encourage growth in specific areas where it can be best supported. The Plan does not include any recommendations to encourage additional growth.

### Mitigation Measures

It is the objective of any comprehensive plan to help to reduce the potential impacts that could be caused by the present development trends in the planning community. This can be accomplished by providing techniques for changing the development trends of a community, such as amending zoning or other development regulations, or by providing tools to help mitigate the possible impacts of those development trends, such as providing for improved infrastructure, increased/improved standards for development, etc. A good comprehensive plan will supply techniques for modifying or clarifying the direction of the community, and the tools for reducing the impacts of development that themselves do not create other adverse environmental impacts. The following section discusses the study's recommendations and the logic as to why and how they help mitigate the potential impacts of future growth.

#### *A. Impacts on Land*

- The plan recommends a number of measures to protect the land and environmental resources of the community.
- The plan strongly supports the protection of agricultural lands in the Town. Techniques include completing an Agricultural Protection Plan strengthening the economic viability of farms, encouraging agricultural support services,

#### *B. Impacts on Surface Water*

- The plan supports directing development away from the designated stream corridors and recommends updating the Conservation Protection Overlay district.
- The plan supports increased drainage standards and avoidance of poor soil areas to further reduce impacts to surface waters from development. It also supports the implementation of recommendations from the watershed management plan.
- New requirements, when necessary, will also help to protect these resources.
- Directing growth to areas with public infrastructure will help in the protection of groundwater resources in the Town of Sardinia. Current laws provide excellent protection.

#### *C. Impacts on Plants and Animals*

- As discussed previously, the Sardinia community will be taking efforts to protect and preserve the stream corridors and open spaces in the community. By targeting these important habitats for protection, the Town is minimizing impacts to the flora and fauna of the region.
- The plan also identifies important features like floodplains, wetlands, and unique environmental features, so that they can be incorporated into designs and/or preserved.

#### *D. Impacts on Agricultural Land Resources.*

- As previously discussed, the Town will be coordinating activities to protect and preserve agricultural land and agricultural operations.
- Other programs and ideas will be attempted as needed to try and assist farmers to stay in business. If the economics of farming (related to Agriculture) can be helped, farming may continue which will assist with the agricultural land preservation.

#### *E. Impacts on Aesthetic Resource*

- The preservation of community character is one of the major goals of this Plan. Community character includes the aesthetic resources of the community such as significant views, open spaces, farmland, historic resources, and the Town's overall rural character. The community has identified these resources and the plan identifies actions to be taken by the community to protect these features.
- Development guidelines will help to maintain the rural character of this community.

#### *F. Impacts on Open Space, Parks and Recreation*

- The plan identifies these resources and provides methodologies to protect and preserve them during development.
- Major features are identified in the Plan and some are incorporate into the vision map and are considered an integral part of the Town's future.

#### *H. Impacts on Transportation*

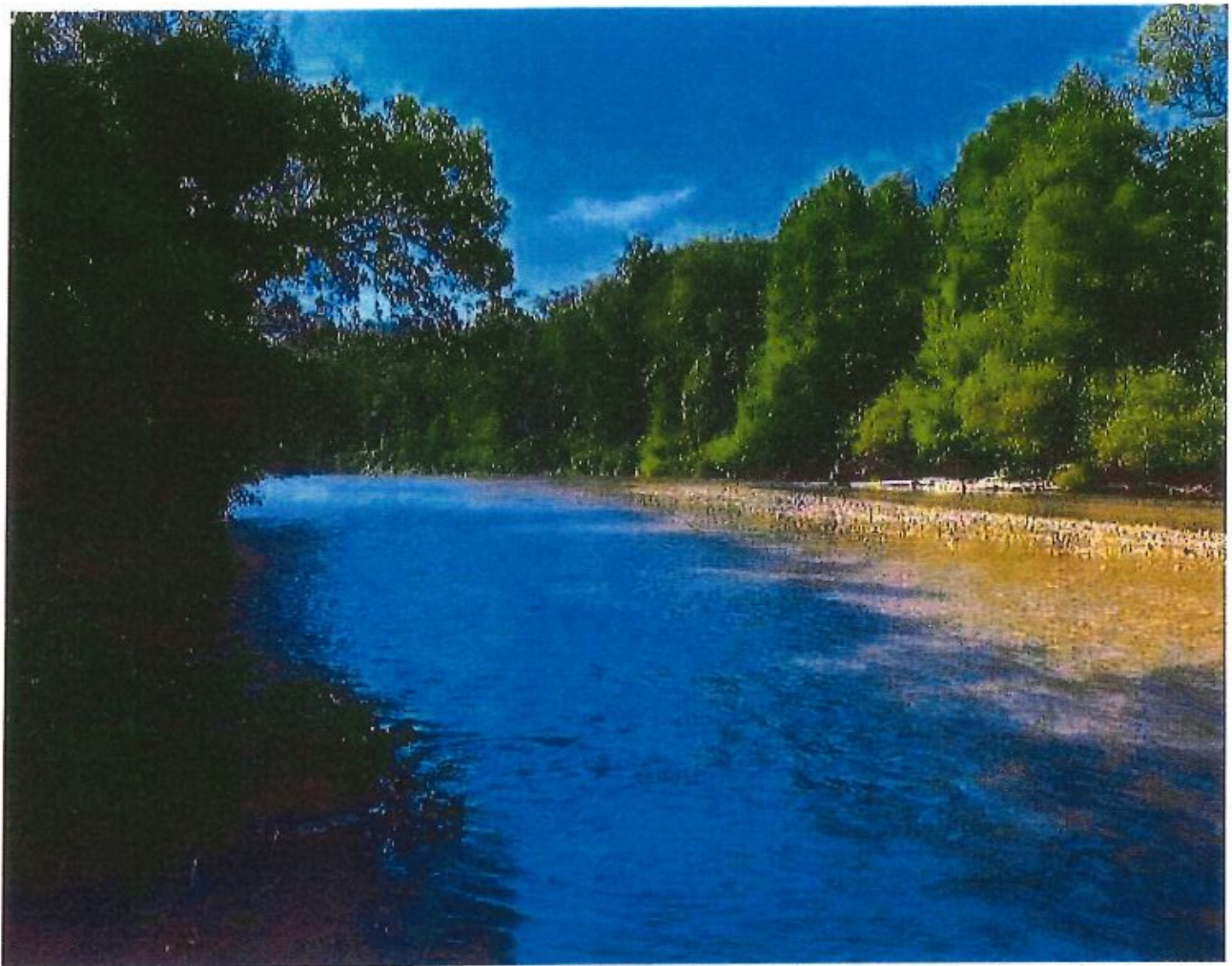
- Transportation in the community is heavily based on roadways and automobiles. Generally, traffic counts are low and there is not significant congestion, although there can be localized problems along major routes
- One of the other issues of transportation relates to the region's accommodation of pedestrians and bicycles.
- Public transportation in the region is minimal
- The railroad running through Sardinia is an important asset to the region. The community has planned around this feature (continuing access to industrial areas and preventing encroachment of incompatible uses) and is strongly interested in the railroad being improved and remaining active.

#### *I. Impact on Growth and Character of Community or Neighborhood*

- Population trends suggest that the growth rate in the Town of Sardinia will remain modest or flat. The Town's population, like Erie County's on the whole, is aging.
- Economic development and local jobs has become a larger issue, and the plan attempts to proactively support additional locations for job supporting development.

### Evaluation of Alternatives

Throughout the planning process, alternatives for helping the Town achieve its goals and objectives were evaluated. These recommendations and implementation alternatives were evaluated for not only their desired results, but also their impact to the environment, the needs of local residents, private property rights, and the vitality of the community. It must be noted that long term recommendations were not thoroughly evaluated in this section since these actions are only to be considered in extenuating circumstances where the Town is seeing greater levels of growth pressure or where short-term recommendations are not achieving the desired results. Under the present growth conditions in the Town, the "No Action" alternative was considered. However, to enable the Town to properly plan for its chosen future, to prepare for potential development activity over the next 15 years, and to better direct and manage such growth and development, this alternative was deemed inappropriate. Furthermore, the chosen action plan will provide greater protection to the environment than the present course of action.



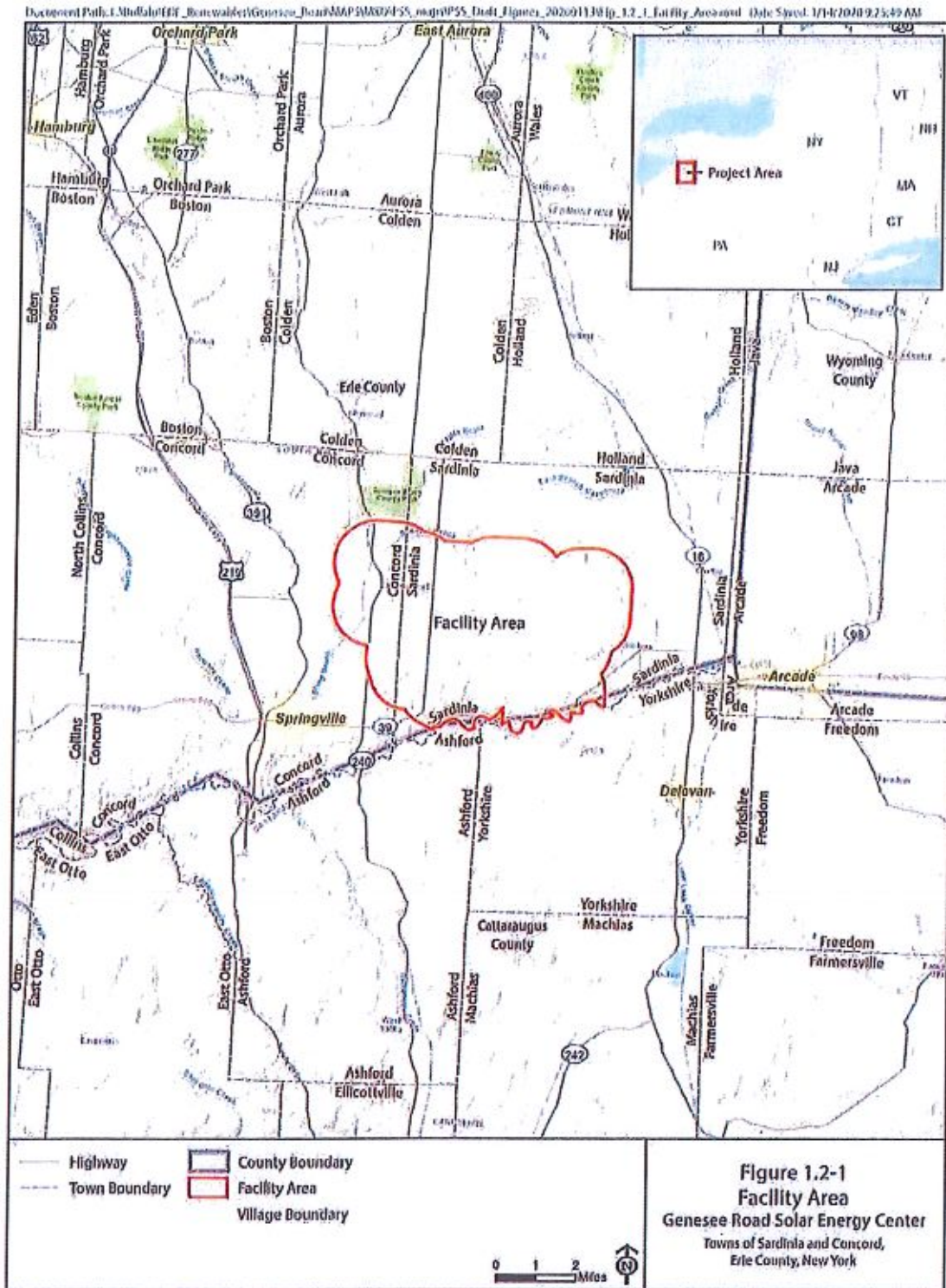
# Town of Sardinia Maps



**Proposed Genesee Road Solar Project**  
**Environmental Features**  
**Parks and Recreation Areas**  
**Steep Slopes**  
**Utilities**  
**Land Use**  
**Agricultural Parcels and Cropland Coverage**  
**Agricultural Districts**  
**Clusters of Parcels with High Agricultural Soils Value**  
**Zoning**  
**Mined Land Overlay**  
**Prime Farm Overlay**  
**Conservation Protection Overlay**  
**Gravel Deposits/Gravel Mines**  
**Vision Map**



# Map 1







# Town of Sardinia Comprehensive Plan Environmental Features



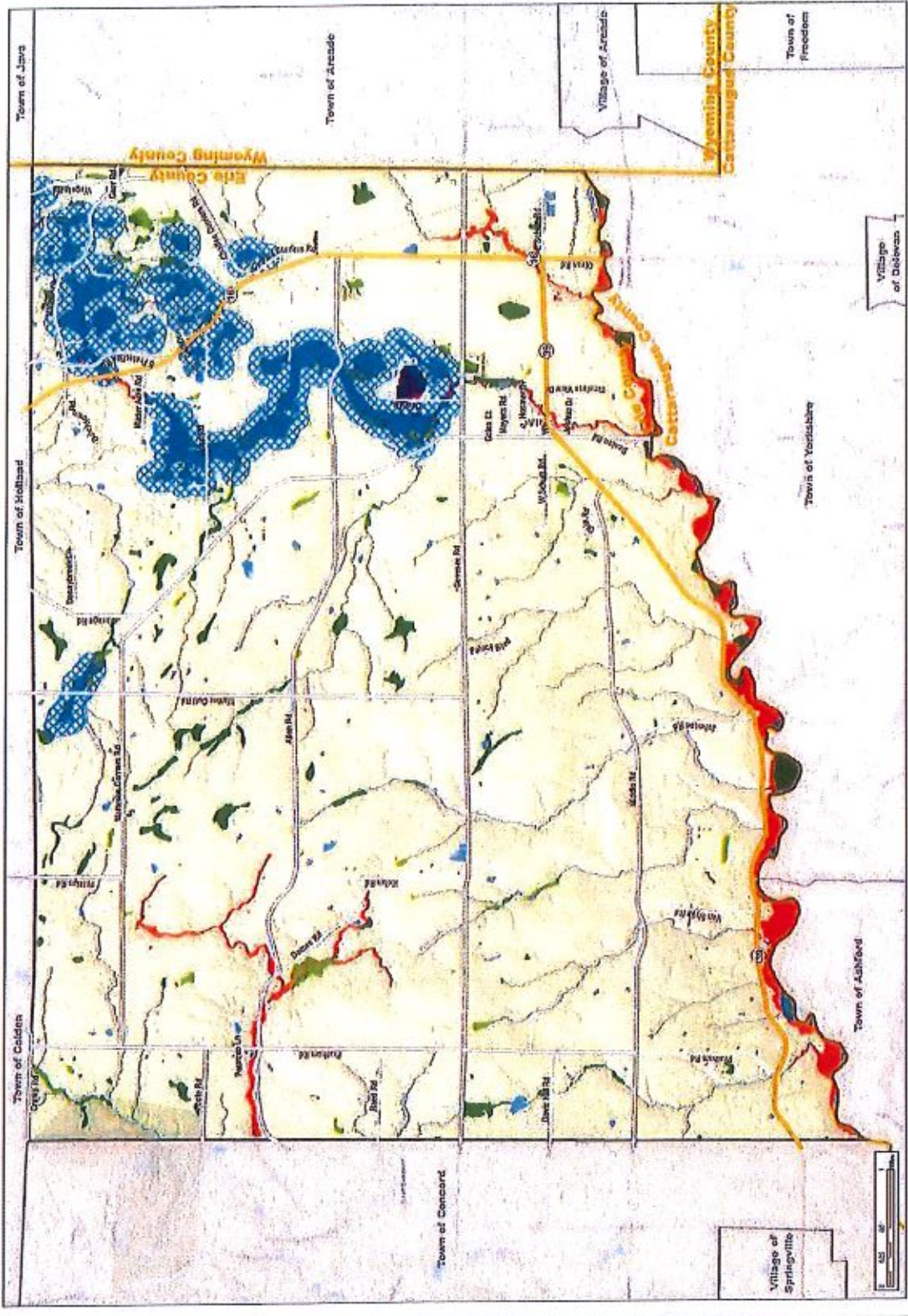
LEGEND	
	REMA 100 Year Floodzone
	State Wetlands
	Wetland
	Checkdams
	Federal Wetlands
	Freshwater Emergent Wetland
	Freshwater
	Forested/Shrub Wetland
	Freshwater Pond
	Lake
	Riverine



wendel

WYOMING COUNTY DISTRICT FIRST DRAFT, APRIL 2021

After 100 years, the Town of Sardinia will have a comprehensive plan that will guide the future development of the town. The plan will be a living document that will be updated as the town grows and changes. The plan will be a guide for the town's future development and will be a key tool for the town's future planning.

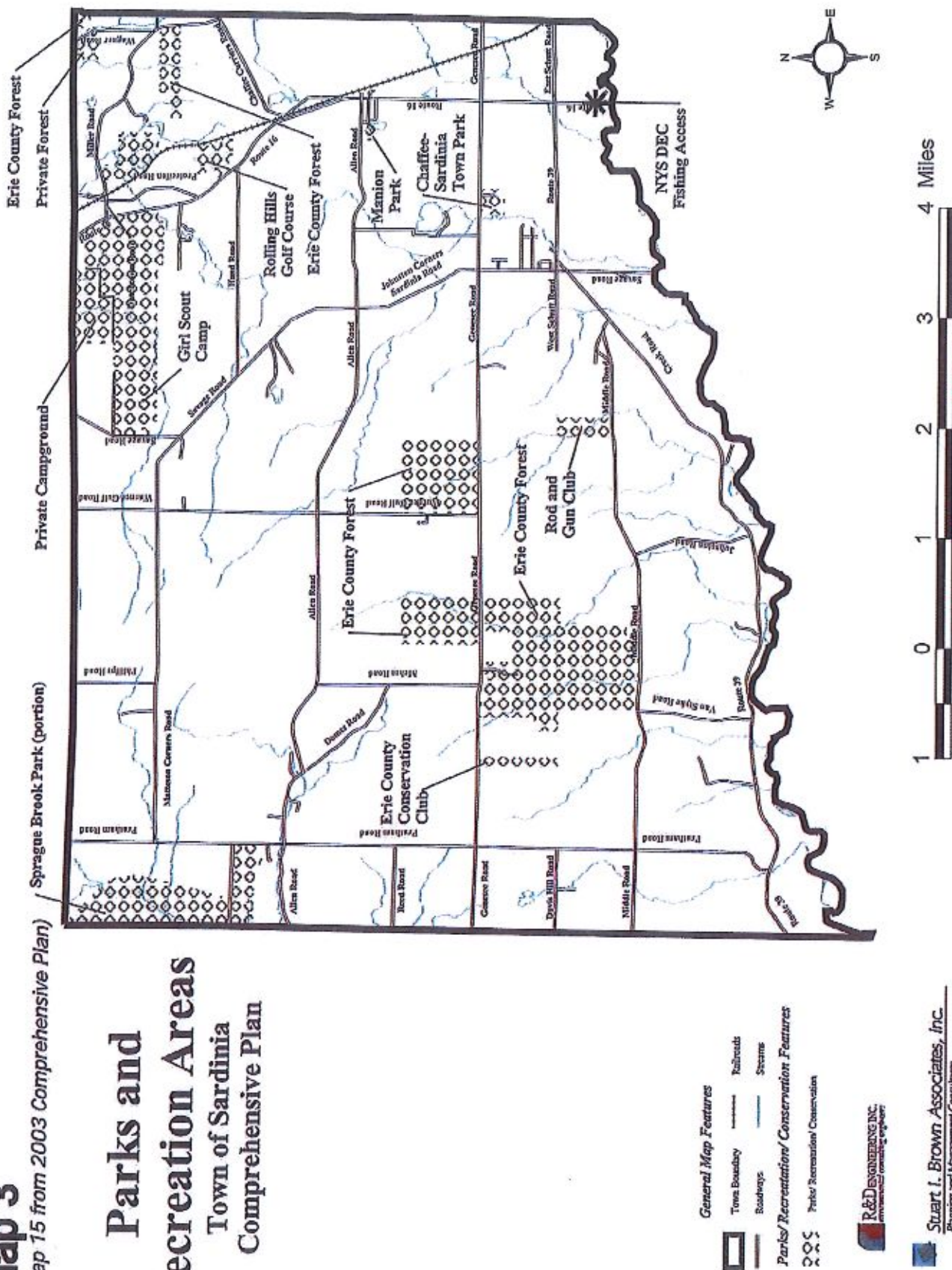




# Map 3

(Map 15 from 2003 Comprehensive Plan)

## Parks and Recreation Areas Town of Sardinia Comprehensive Plan







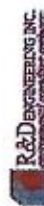
*Adopted December 2003*



(Map 11 from 2003 Comprehensive Plan)

[illegible]

 Town Boundary  
 Railroads  
 Streams  
 Roadways

 Areas of Steepest Slope

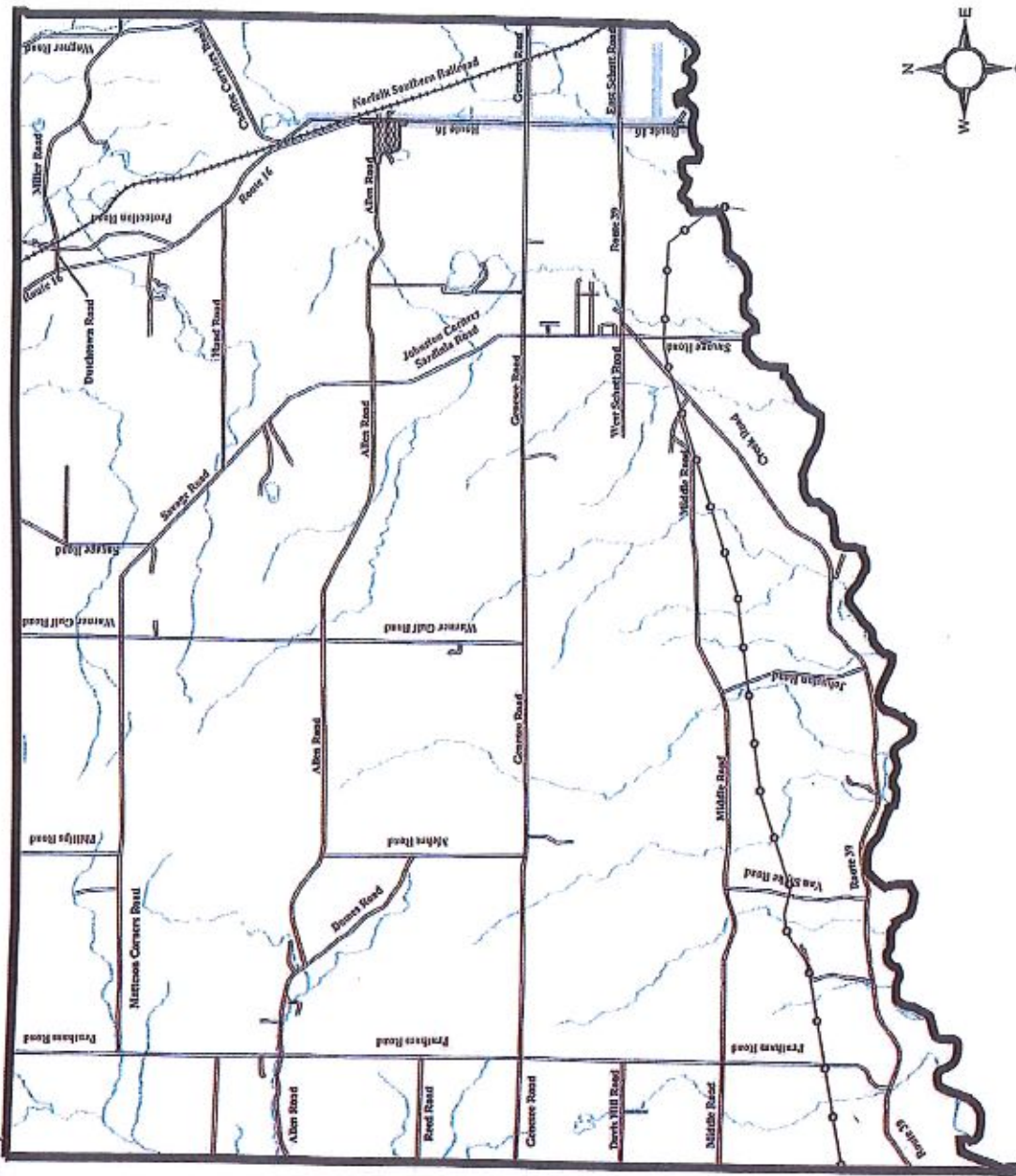
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# Map 5

(Map 18 from 2003 Comprehensive Plan)

## Utilities Town of Sardinia Comprehensive Plan



### General Map Features

- Town Boundary
- Railroads
- Roadways

### Utility Features

- Community Water Supply
- NMFC Transmission Line
- Atco Electric



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*Adopted December 2003*





# Town of Sardinia Comprehensive Plan Land Use



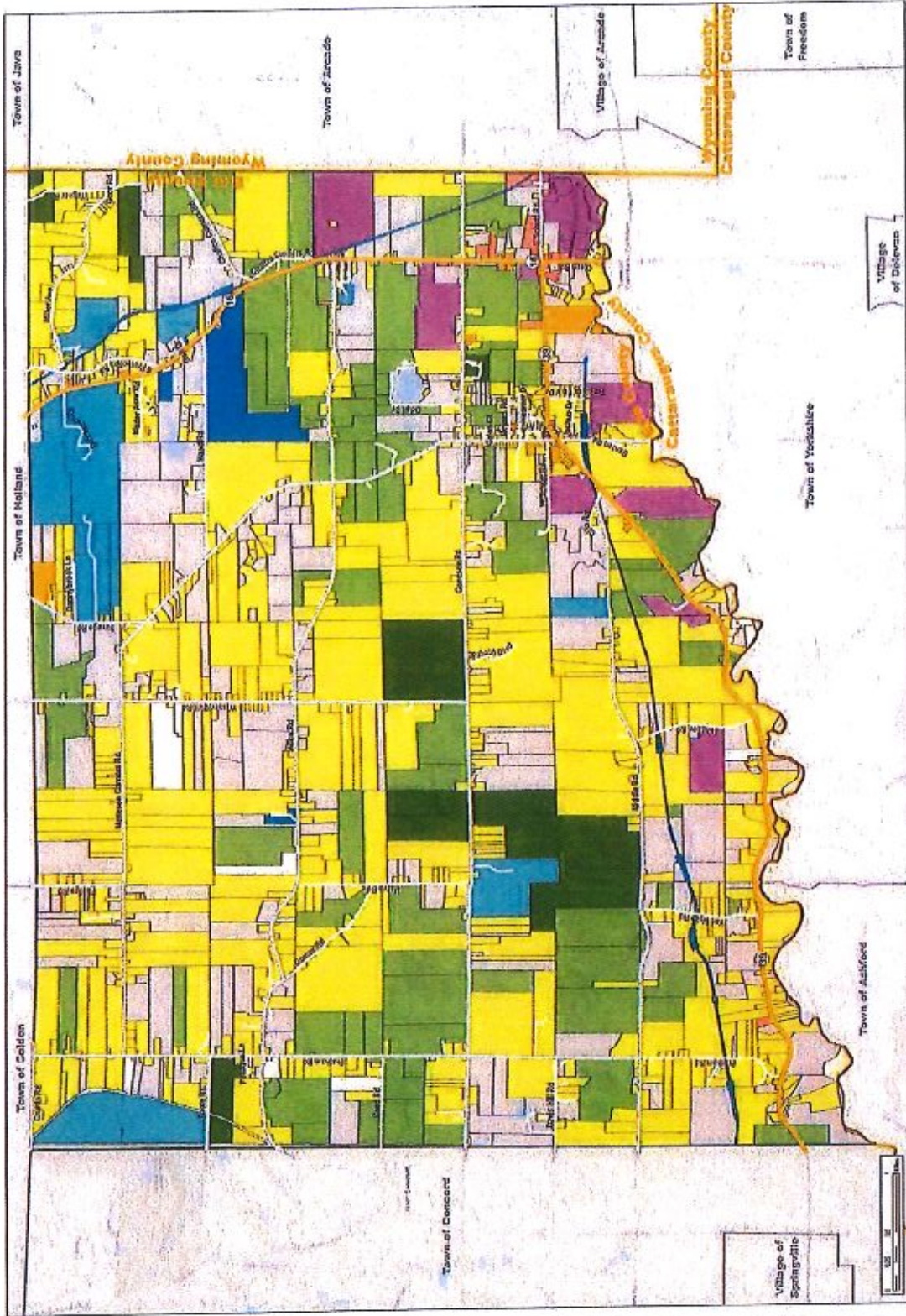
**LEGEND**

Land Use (2020)

[White Box]	No Data
[Light Green Box]	Agricultural
[Yellow Box]	Residential
[Pink Box]	Vacant Land
[Light Blue Box]	Commercial
[Dark Blue Box]	Recreation and Entertainment
[Orange Box]	Community Services
[Light Purple Box]	Industrial
[Dark Purple Box]	Public Services
[Dark Green Box]	Wet, Forested, Conservation Lands and Public Parks

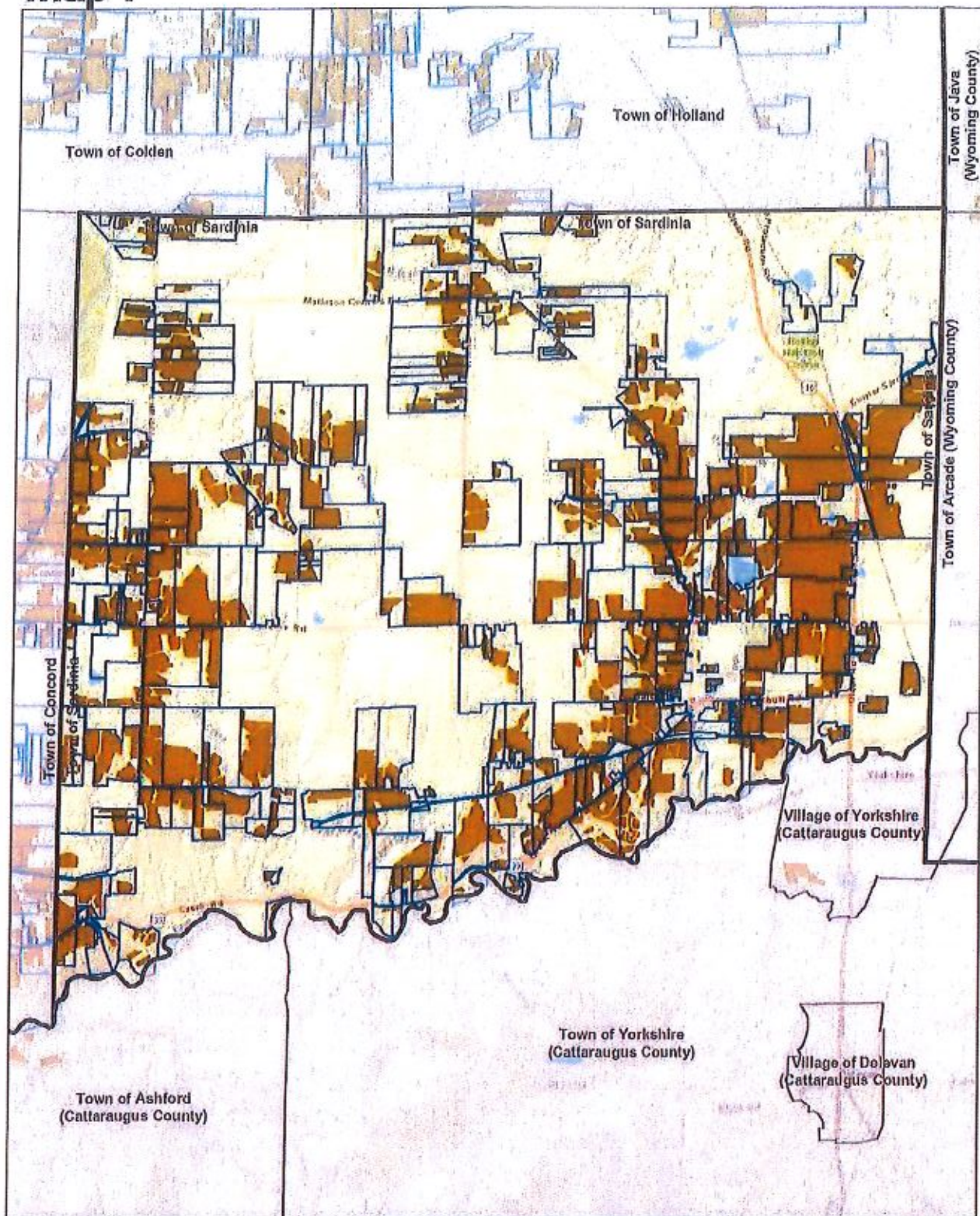


Wendel is a professional planning and design firm serving communities across Wyoming. We have a long history of working with local governments to create comprehensive plans, zoning ordinances, and other land use documents. Our team consists of experienced planners, designers, and engineers who work together to provide comprehensive solutions for our clients. We are committed to providing high-quality, cost-effective services that meet the needs of our communities.



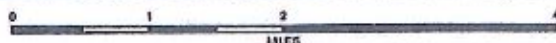


# Map 7



Counties
  Municipalities
  Agricultural Parcels
  Cropland

SOURCE: ERIE COUNTY AGRICULTURE AND FARMLAND PROTECTION PLAN, 2012



## AGRICULTURAL PARCELS AND CROPLAND COVERAGE SARDINIA, NY

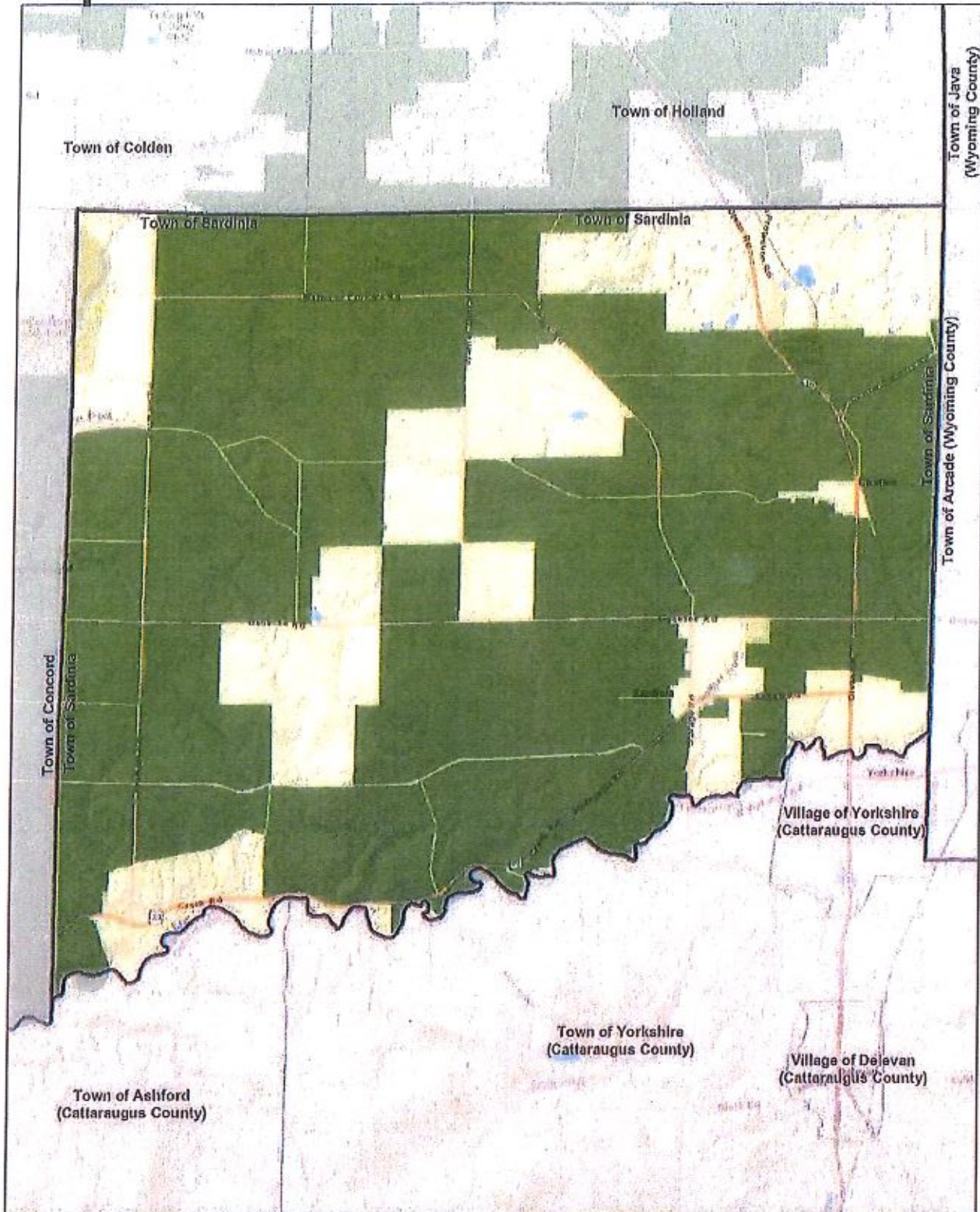
COMPREHENSIVE PLAN UPDATE



MAP PREPARED BY THE ERIE COUNTY DEPARTMENT OF  
ENVIRONMENT & PLANNING BY GATISZ, 05/03/11

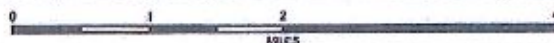


# Map 8



Southeast Agricultural District #15
  WNY Counties
  Municipalities

SOURCE: ERIE COUNTY DEPARTMENT OF ENVIRONMENT AND PLANNING, 2021



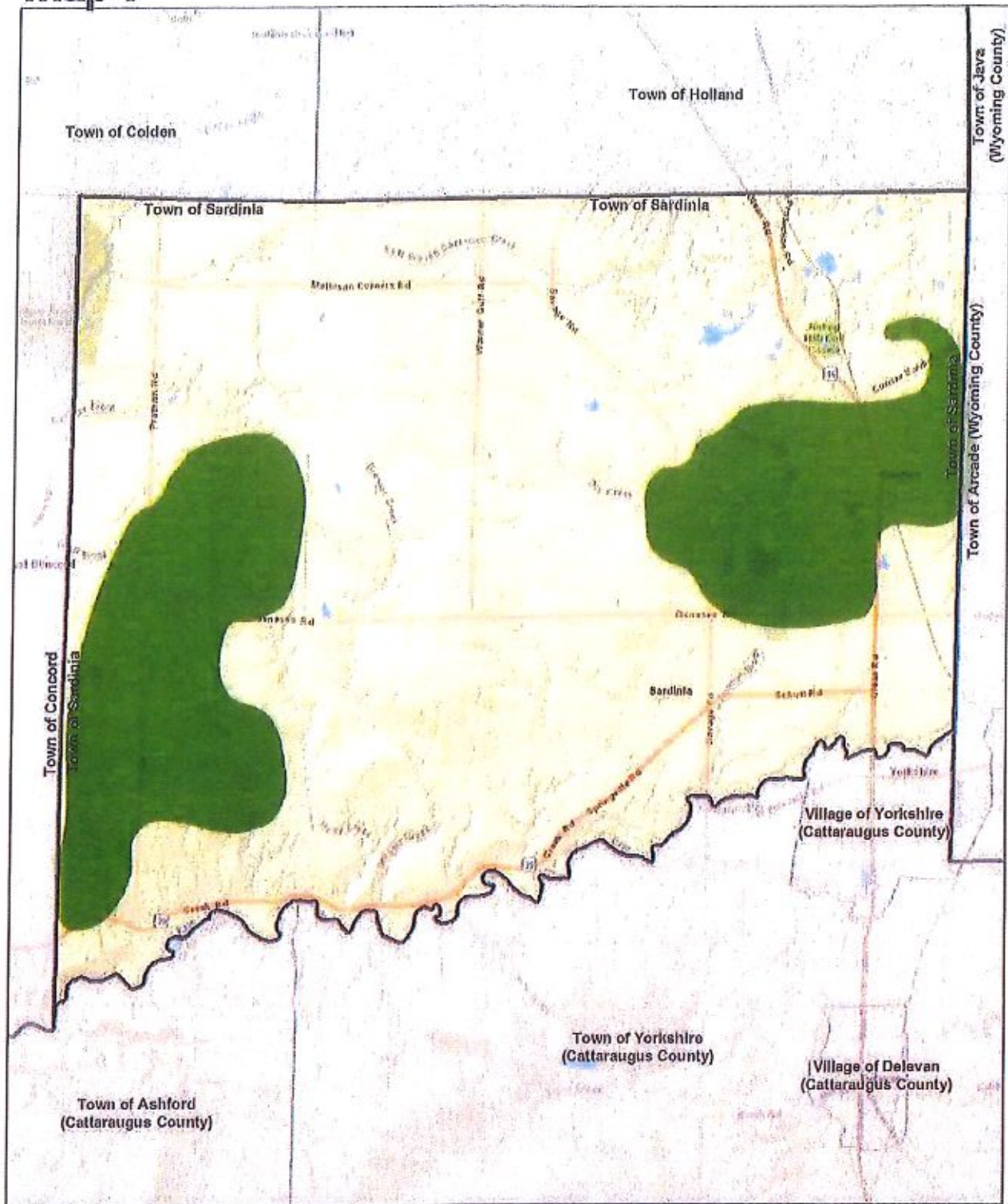
## AGRICULTURAL DISTRICTS SARDINIA, NY

COMPREHENSIVE PLAN UPDATE

MAP PREPARED BY THE ERIE COUNTY DEPARTMENT OF  
ENVIRONMENT & PLANNING BY DAT/BSZ, 2/2/2021

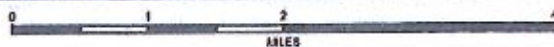


# Map 9



Areas with Clusters of High Agricultural Soils Values

SOURCE: ERIE County agriculture and farmland protection plan, 2012



## CLUSTERS OF PARCELS WITH HIGH AGRICULTURAL SOILS VALUE

SARDINIA, NY

COMPREHENSIVE PLAN UPDATE



MAP PREPARED BY THE ERIE COUNTY DEPARTMENT OF  
ENVIRONMENT & PLANNING BY GATISSZ, 2/5/2021

## ZONING

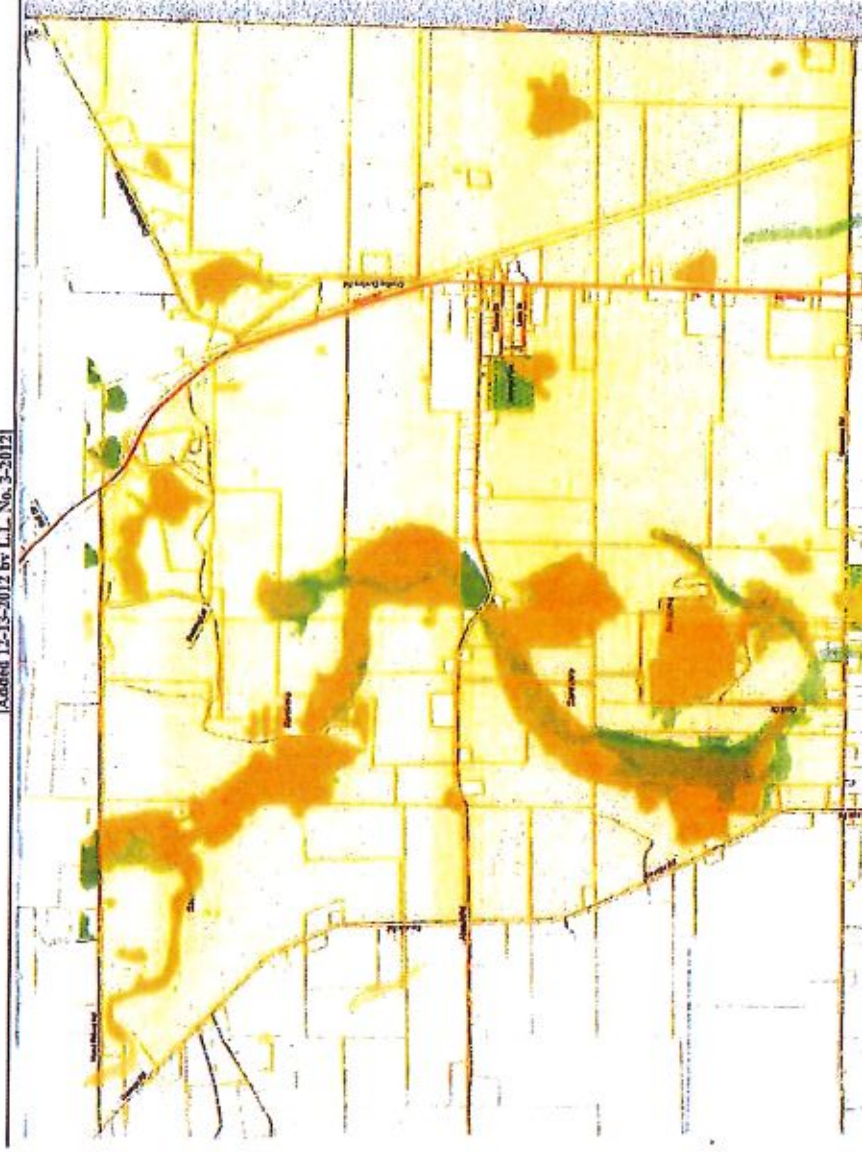
**Zoning Map**  
**Town of Sardinia**  
 115 Attachment 4



# Map 11

ZONING

115 Attachment 8  
Mining Overlay District  
Added 12-13-2012 by L.L. No. 3-2012



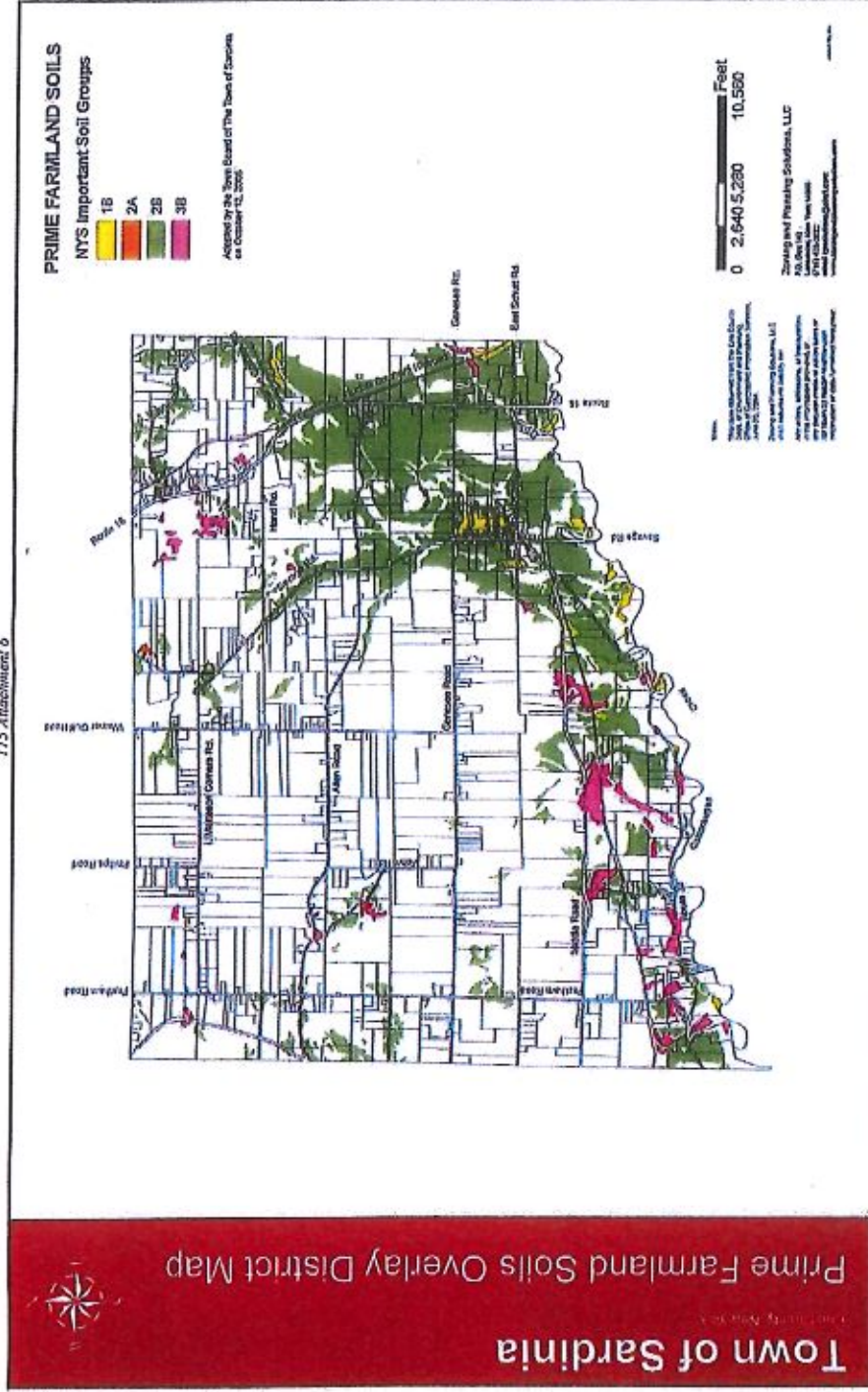
115 Attachment 8:1

Publication: Sep 2019

# Map 12

ZONING

115 Attachment 6



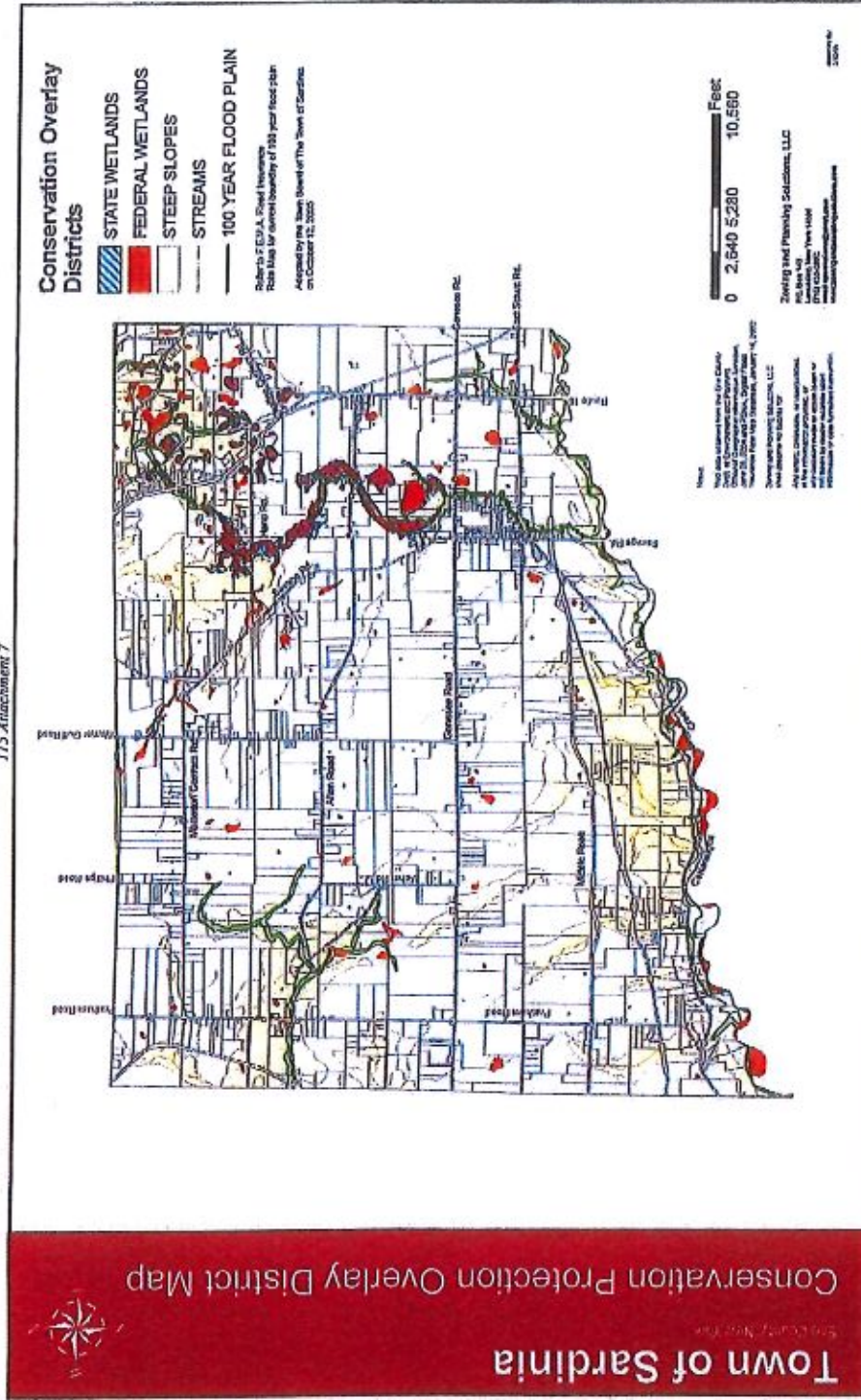
115 Attachment 6:1

Publication: Sep 2015

# Map 13

ZONING

115 Attachment 7



115 Attachment 7:1

Publication: Sep. 2019

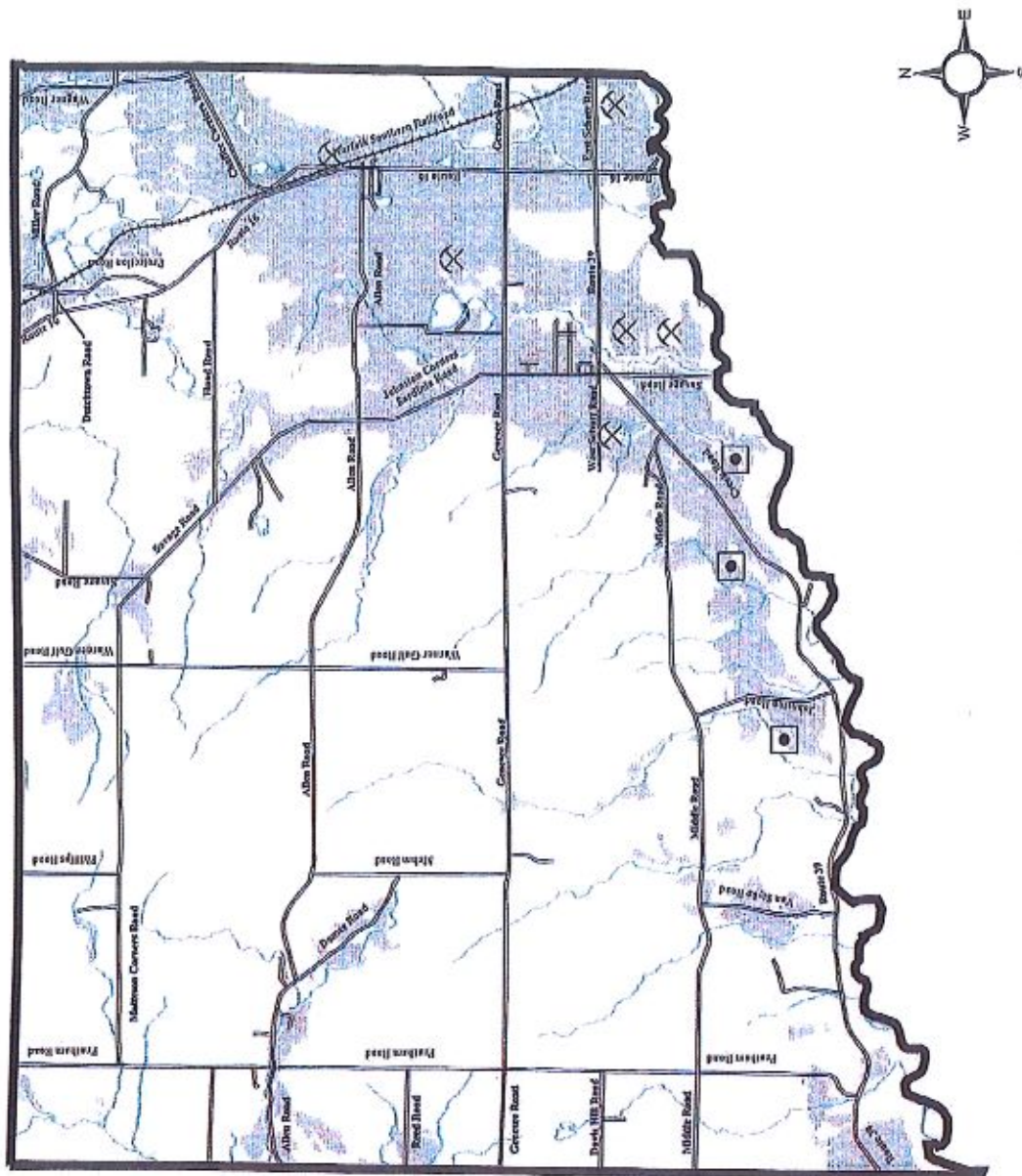


# Map 14

(Map 10 from 2003 Comprehensive Plan)

## Gravel Deposits/ Gravel Mines Town of Sardinia Comprehensive Plan

- General Map Features**
- Town Boundary
  - Roadways
  - Railroads
  - Streams
- Gravel Deposit/ Mine Features**
- Active Mines
  - Inactive Mines
  - Gravel Deposits



**R&D ENGINEERING INC.**  
environmental consulting engineers

**Stuart L. Brown Associates, Inc.**  
Planning and Management Consultants

1 0 1 2 3 4 Miles

*Adopted December 2003*





# Town of Sardinia Comprehensive Plan

## Vision Map



**LEGEND**

- Parcels (2020)
- Vision Layers
  - Conservation/Creek Corridor Protection
  - Hamlets
  - Hamlet Growth
  - Important Agricultural Lands
  - Forest/Recreation Lands
  - Landfill Area
  - Recreation/Conservation
  - Rural Sandhills

\*Not a Future Land Use Plan

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